

# Agenda

## County of Inyo Planning Commission

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### INYO COUNTY PLANNING COMMISSION

Howard Lehwald  
Caitlin (Kate) J. Morley  
Todd Vogel  
Callie Peek  
Scott Kemp

First District  
Second District  
Third District (Chair)  
Fourth District (Vicechair)  
Fifth District

#### STAFF

Cathreen Richards  
Ryan Standridge  
Danielle Visuano  
Cynthia Draper  
Michael Errante  
Nate Greenberg  
Christian Milovich

Planning Director  
Associate Planner  
Associate Planner  
Assistant Planner  
Public Works Director  
County Administrator  
Assistant County Counsel

**This meeting will be held in the Board of Supervisors Room located at 224 N. Edwards Street, in Independence California, beginning at 10:00 a.m.**

- Items will be heard in the order listed on the agenda unless the Planning Commission rearranges the order, or the items are continued. Estimated start times are indicated for each item. The times are approximate, and no item will be discussed before its listed time.
- Lunch Break will be given at the Planning Commission's convenience.
- The Planning Commission Chairperson will announce when public testimony can be given for items on the Agenda. The Commission will consider testimony on both the project and related environmental documents.
- The applicant or any interested person may appeal all final decisions of the Planning Commission to the Board of Supervisors. Appeals must be filed in writing to the Inyo County Board of Supervisors within 15 calendar days per ICC Chapter 15 [California Environmental Quality Act (CEQA) Procedures] and Chapter 18 (Zoning), and 10 calendar days per ICC Chapter 16 (Subdivisions), of the action by the Planning Commission. If an appeal is filed, there is a fee of \$300.00. Appeals and accompanying fees must be delivered to the Clerk of the Board Office at County Administrative Center Independence, California. If you challenge in court any finding, determination or decision made pursuant to a public hearing on a matter contained in this agenda, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Inyo County Planning Commission at, or prior to, the public hearing.

**Public Notice:** In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (760) 878-0263 (28 CFR 35.102-3.104 ADA Title II). Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Planning Department 2 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format (Government Code Section 54954.2).

## **February 28, 2024**

**10:00 A.M.**

1. **PLEDGE OF ALLEGIANCE.**
2. **ROLL CALL** – Roll Call to be taken by staff.

3. **PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the agenda.
4. **APPROVAL OF MINUTES** – Approval of minutes from the January 24, 2024, Planning Commission Meeting.
5. **CODE AMENDMENT 2024-01/WELO.** Staff are proposing to amend Chapter 17.04 of the County Code with the adoption of a Water Efficient Landscape Ordinance (WELO) to incorporate by reference the California State’s Model Water Efficient Landscape Ordinance (MWELO), a state mandate, and provides additional provisions for enforcement and penalties to ensure the County meets the objectives required by the State’s MWELO. The WELO would allow the County to implement the mandated State’s MWELO objectives of improving water conservation through approved landscaping and irrigation planning. The Planning Commission will be considering providing a recommendation to the Board of Supervisors to adopt the proposed ordinance. The project is exempt from CEQA by the “Common Sense Rule” found in 14 CCR Section 15061(b)(3).
6. **ZONE TEXT AMENDMENT 2024-01/SHORT-TERM RENTAL OF RESIDENTIAL PROPERTY – ACTION ITEM AND PUBLIC HEARING**  
At the direction of the Board of Supervisors, staff have prepared updates to the County’s Short-term Rental of Residential Property Ordinance. These updates include adding short-term rental areas and caps, time limits, insurance requirements, removing outside fires as allowed and changes to the enforcement process. A moratorium has been active on short-term rental applications since October 25, 2022, and has been extended to end November 25, 2024, unless lifted by the Board of Supervisors. This project is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15301 – Existing Facilities Class 1.
7. **2023 ANNUAL GENERAL PLAN PROGRESS REPORT – INFORMATIONAL**  
Staff has prepared the County’s 2023 General Plan Annual Progress Report. This report is required to be presented to local legislative bodies prior to being submitted to the State. Along with this, staff will provide a review of what a General Plan is and how it is used by local governments and more specifically, the Housing Element. This item is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15306 - Information Collection
8. **COMMISSIONERS’ REPORTS/COMMENTS**
9. **PLANNING DIRECTOR’S REPORT**
10. **ADJORN**

# COUNTY OF INYO PLANNING COMMISSION

## MINUTES OF JANUARY 24, 2024 MEETING

### COMMISSIONERS:

HOWARD LEHWALD  
CAITLIN (KATE) J. MORLEY  
TODD VOGEL  
CALLIE PEEK  
SCOTT KEMP

FIRST DISTRICT  
SECOND DISTRICT  
THIRD DISTRICT (CHAIR)  
FOURTH DISTRICT (VICE)  
FIFTH DISTRICT

Inyo County Planning Commission  
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### STAFF:

CATHREEN RICHARDS  
CHRISTIAN MILOVICH  
RYAN STANDRIDGE  
DANIELLE VISUANO  
CYNTHIA DRAPER  
SALLY FAIRCLOTH  
NATE GREENBERG  
MIKE ERRANTE

PLANNING DIRECTOR  
ASSISTANT COUNTY COUNSEL  
ASSOCIATE PLANNER  
ASSOCIATE PLANNER  
ASSISTANT PLANNER  
PROJECT COORDINATOR  
COUNTY ADMINISTRATOR  
PUBLIC WORKS DIRECTOR

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The Inyo County Planning Commission met in regular session on Wednesday, January 24, 2024. Commissioner Vogel opened the meeting at 10:03 a.m. These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

**ITEM 1:**      **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 10:03 a.m.

**ITEM 2:**      **ROLL CALL** - Commissioners, Todd Vogel, Kate Morley, Callie Peek, Scott Kemp, and Howard Lehwald were present.

Staff present: Cathreen Richards, Planning Director, Danielle Visuano, Associate Planner, Cynthia Draper, Assistant Planner, Sally Faircloth, Project Coordinator, and Christian Milovich, Assistant County Counsel.

Staff absent: Nate Greenberg, County Administrator; Michael Errante, Public Works Director.

**ITEM 3:**      **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the agenda.

Chair Vogel opened and closed the Public Comment Period at 10:05 a.m.  
No comments were made.

**ITEM 4:**      **NOMINATION & ELECTION OF CHAIRPERSON** – The Commission will accept nominations for Chairperson for 2024 and hold an election.

Commissioner Kate Morley nominated Todd Vogel.

Commissioner Callie Peek made a second to Commissioner Vogel's nomination.

Commissioner Todd Vogel accepted the chair nomination and began to run the meeting.

**ITEM 5: NOMINATION & ELECTION OF VICE CHAIRPERSON** – The Commission will accept nominations for Vice-Chairperson for 2024 and hold an election.

Commissioner Scott Kemp nominated Kate Morley for Vice-Chairperson.

Commissioner Kate Morley nominated Callie Peek

Commissioner Kemp made a second to Commissioner Peek's nomination.

Chair Vogel asked the commissioners if all were in acceptance of Callie Peek for vice-chair nomination. All commissioners approved.

Commissioner Callie Peek accepted the vice-chair nomination.

**ITEM 6: RENEWABLE ENERGY PERMIT-2023-01/SBC** (Action Item/Public Hearing) – The applicant, SBC Investment LLC, has applied for a Renewable Energy Permit located on two 5-acre parcels (APN's 038-340-20 and 038-340-21) in Trona, California. This permit would allow the applicant to construct a 2.0 megawatt (MW) commercial scale photovoltaic solar facility. The project proposes approximately 4,625 single axis tracker solar panels, encompassing 10-acres of mostly disturbed land. The project is a Mitigated Negative Declaration of Environmental Impact under the California Environmental Quality Act (CEQA).

Cynthia Draper, Assistant Planner, presented the staff report as well as presenting a vicinity, site map and other pertinent pictures of the area being discussed.

Commissioners asked some clarifying questions.

Chair Vogel closed the public hearing and opened discussion with the Commissioners at 10:24 am.

**MOTION:** Commissioner Kemp made a motion to include the approval as well as the mitigation monitoring for Item 6 – Renewable Energy Permit -2023-01/SBC with the findings 1-7 in conditions of approval 1-10.

Chair Vogel seconded the motion.

The Motion passed unanimously at 10:26 a.m.

**ITEM 7: CONDITIONAL USE PERMIT 2023/BPCSD** (Action Item/Public Hearing) – The applicant, Big Pine Community Service District, has applied for a Conditional Use Permit located on parcel (APN: 018-090-19), in Big Pine, California. This permit would allow the applicant to construct a new rapid infiltration basin as an expansion to the current existing wastewater treatment facility. The project encompasses 5-acres of pre-disturbed land to be an expansion to the existing 10.3-acres wastewater treatment facility. This project is a Mitigated Negative Declaration pursuant to CEQA.

Danielle Visuano, Associate Planner, presented the staff report as well as presenting a slide show for this project.

Commissioners discussed the requirement of lessee notifications and construction build starting dates.

Tim Rudolph, Civil Engineer, Big Pine Community Service District, stated the lessee was notified and made aware as required. In response to the construction build date, Mr. Rudolph stated it would be done by the end of the year per grant requirements.

Chair Vogel opened the Public Comment Period at 10:49 a.m.

With no one wishing to comment Chair Vogel closed the public comment period at 10:49 a.m.

**MOTION:** Commissioner Kemp made a motion to approve Item 7 – Conditional Use Permit 2023/BPCSD with the findings 1-7 in conditions of approval 1-6 with the change on number five.

Commissioner Peek seconded the motion.

The Motion passed unanimously at 10:51 a.m.

**ITEM 8: APPROVAL OF MINUTES (Action Item)** – Approval of the Minutes from the October 25, 2023, meeting of the Planning Commission.

**MOTION:** Commissioner Morley made the motion to approve the minutes. The motion was seconded by Commissioner Scott Kemp.

The Motion passed by general consent 5-0 at 10:52 a.m.

**ITEM 9: APPROVAL OF MINUTES (Action Item)** – Approval of the Minutes from the November 15, 2023, meeting of the Planning Commission.

**MOTION:** Commissioner Kemp made the motion to approve the minutes. The motion was seconded by Commissioner Peek.

The Motion passed by general consent 5-0 at 10:54 a.m.

### **COMMISSIONERS' REPORT/COMMENTS**

No comments made at this time.

### **DIRECTOR'S REPORT –**

Planning Director, Cathreen Richards, said there will need to be a Planning Commission meeting on February 28, 2024, and discussed the upcoming items regarding short term rentals and some other items coming up for March's agenda. She also advised the Commissioners of two items that will be going to the Board of Supervisors. One of the items was for an appeal for the 2023-02/ Barker Solar project which will be going to the board on February 6<sup>th</sup> and the other appeal was for the Short-Term Rental permit 2021-06/Collins for which the revocation was upheld will be going to the Board of Supervisors on February 20<sup>th</sup>.

### **ADJOURNMENT**

Chair Vogel adjourned the meeting at 10:55 a.m.

Prepared by:  
Sally Faircloth  
Planning Department

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**AGENDA ITEM NO.:** 5 (Public Hearing and Action)

**PLANNING COMMISSION  
MEETING DATE:** February 28, 2024

**SUBJECT:** Code Amendment No. 2024-01/ Water Efficient  
Landscape Ordinance.

#### **EXECUTIVE SUMMARY**

Staff has drafted a proposed code amendment to add Chapter 17.04 – Water Efficient Landscape Ordinance to the Inyo County Code. This proposed code amendment will incorporate the State’s Model Efficient Water Landscape Ordinance in its entirety by reference for state mandated implementation, however, it also includes the addition of enforcement and penalty provisions.

#### **PROJECT INFORMATION**

**Supervisory District:** Countywide  
**Project Applicant:** Inyo County  
**Property Owner:** Multiple/Countywide  
**Site Address/** Multiple/Countywide  
**Community:** Multiple/Countywide  
**A.P.N.** Multiple/Countywide  
**General Plan:** Multiple/Countywide  
**Zoning:** Multiple/Countywide

#### **Recommended Actions:**

1. Conduct a public hearing regarding Code Amendment No. 2024-01/Water Efficient Landscape Ordinance. and,
2. Adopt a Resolution recommending that the Board of Supervisors approve Code Amendment No. 2024-

01/Water Efficient Landscape Ordinance and certify that it is Exempt from CEQA.

**Project Planner:** Danielle Visuaño, Associate Planner.

## **BACKGROUND**

### **1. State Model Water Efficient Landscape Ordinance (MWELo) Purpose**

MWELo is a state mandated regulation designed by the State of California to promote water conservation and efficiency with a focus of preventing water from being wasted on irrigated landscapes. It provides a structure for planning, designing, installing, maintaining and managing landscapes for new construction and rehabilitation projects with a goal to preserve adequate supplies of water for future use. Essentially, MWELo is a water budget tool with lists of required practices. Since the State's MWELo is a mandate, none of its provisions can be ignored or altered below the minimum or foundational requirements. Local agencies can only add to MWELo to make it stricter in application with the adoption of a local water efficient landscape ordinance.

### **2. State MWELo Legislative History**

The background of MWELo begins in 1990 with the creation of the Water Conservation in Landscaping Act (Act) under Assembly Bill (AB) 325. This bill required the Department of Water Resources (DWR) to develop a MWELo. The MWELo became effective on January 1, 1993 requiring all local agencies to adopt a water efficient landscape ordinance unless the local agency could provide findings that it was unnecessary. No evidence of any findings making MWELo an unnecessary application within Inyo County have been identified.

The 1993 enactment was followed by the creation a task force in 2004 to evaluate and recommend improving the efficiency of water use in irrigated landscapes pursuant to the requirement of AB 2717. In 2006, DWR was required to update the MWELo reflecting the recommendations of the task force and public comment pursuant to AB 1881. MWELo was then updated and went into effect January 1, 2010 requiring all local agencies to adopt the State's MWELo or a locally modified ordinance at least as effective in conserving water as MWELo, or else the State's MWELo applied by default. This adoption language is also codified in Government Code section 65595(c)(1). As of January 1, 2010, no State MWELo or a local modified MWELo was approved by the Board of Supervisors for Inyo County resulting in the State's MWELo applying to Inyo County by default.

MWELo was again updated on April 1, 2015 consistent with Executive Order No. B-29-15 stating that after December 1, 2015 the ordinance shall apply to new, rehabilitated and existing landscaping as detailed in Section 490.1 of Title 23, Division 2, Chapter 2.7 of the California Code of Regulations. As of December 1, 2015 no State MWELo or a local modified MWELo was approved by the Board of Supervisors for Inyo County. Local jurisdictions were still required to follow state law in the absence of a local ordinance during this time.



In September 2016, Senate Bill (SB) 1383 was passed to address reducing organic waste and landfill operations. The California Department of Resources Recycling and Recovery (CalRecycle) adopted regulation 14 CCR section 18989.2 in 2020 to implement the requirements of SB 1383. This regulation requires the County to adopt an ordinance involving compliance with MWELO sections 492.6(a)(3)(B), (C), (D), and (G), as amended on September 15, 2015. This regulation requires compliance with a portion of the overall MWELO Landscape Design Plan requirements with a specific focus on soil preparation and mulch standards.

From the inception of the enactment of the State's MWELO through the present, Inyo County has not adopted the State's MWELO or a local modified MWELO. As a result, the State's MWELO is in effect in Inyo County by default. Although the County is operating under State's MWELO by default, pursuant to Government Code Section 65595(c)(1) local agencies are authorized to create a local water efficient landscape ordinance (WELO) that is at least as effective in conserving water as the updated State's MWELO.

### **3. State MWELO Project Review Process**

The State's MWELO is triggered and applicable to any single-family or multi-family residential, public, institutional, or commercial project that requires a permit, plan review, or plan check and meets one of these area thresholds: 1) a new construction project with a total landscape area 500 square feet or greater; or 2) a rehabilitation of existing landscape with a total landscape area 2,500 square feet or greater.

Once MWELO is triggered there is one of two processes a landscape application can be reviewed: the prescriptive pathway; or the performance pathway.

#### ***Prescriptive Pathway***

The prescriptive pathway is the least restrictive/streamlined approach and is available as a compliance option for projects under 2500 square feet. This prescriptive review includes standards such as incorporating compost, limiting plant water use, adding mulch, limiting turf area, and irrigation system requirements.

#### ***Performance Pathway***

Unlike the less restrictive review prescriptive review process for projects under 2500 square feet, the performance pathway applies to landscape projects 2500 square feet or greater. The performance pathway is much more complex. It not only includes the requirements found under the less restrictive prescriptive pathway, it also has additional requirements that include a water budget/calculator table, a soil management report, an irrigation design plan, a hydrozone plan and a grading design plan.

### **4. State MWELO Compliance**

The State's MWELo requires verification of compliance with the use of signatures and a certificate of completion package.

### ***Applicant Submission Signature Verifications***

One required verifying signature of compliance is required to be provided by the applicant as part of the documentation submission package (the application) which states "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package." Another verifying signature of compliance is to be provided by either the signer of the landscape design plan, the signer of the irrigation design plan, the licensed landscape contractor, or an unlicensed individual (only for single-family residential projects) stating: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan." Essentially, at the beginning of the process with landscape plan review there is certification that MWELo will be complied with by signature of the applicant and the landscape plan designer (or other authorized individual). This certification is reviewed during the plan review process.

### ***Applicant Submission of Certificate of Completion Package***

The second type of verification of compliance is based on the certificate of completion package once the project has been installed, and inspected if inspection is necessary. There must be certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package. Under the complex performance pathway, certificate of completion packages are to be provided to the Planning Department at the completion of the landscaping inspection. Under the less restrictive prescriptive pathway, certificate of completion packages are to be provided directly to the owner of the project without any review or approval by the Planning Department, or any other County department.

### ***Inyo County Compliance Requirements***

Under the State's MWELo requirements, Inyo County is required to implement and enforce MWELo, and provide annual reporting. Staff has recently been implementing and attempting to enforce the requirements of MWELo with the delay in implementation being having adequate staff to address these measures. Although implementation and enforcement has only recently been pursued, staff has been providing the required annual reporting since 2015.

With the current implementation of MWELo, staff have identified problematic issues in implementing MWELo that are likely to lead to the County's noncompliance with MWELo. These issues are related to the lack of adequate enforcement measures, a matter which is discussed in the below Analysis section.

## ANALYSIS

### 1. Concerns

Under the current State MWELO process, the Planning Department only reviews and approves certificate of completion packages for the MWELO performance pathway, the complex application process, and that is only if the applicant follows the requirements to submit the certificate of completion package for review and approval. Prior to landscape installation/construction, once landscape plans are approved there is no guarantee an applicant will follow the approved plans or even provide a certificate of completion package to the Planning Department.

There is no Planning Department certificate of completion package review required for the prescriptive less restrictive pathway. The applicant only needs to provide the owner with the completion package. Under this process, there is no guarantee an applicant will follow the approved landscape plans, and there is no guarantee the applicant will provide a certificate of completion package to an owner as required under the State's MWELO law.

Basically, the State's MWELO does not require enough specific action or timing for submission of certificate of completion packages under either of the landscape review pathways. As a result, this leaves both the required performance and prescriptive pathways with little to no oversight and no enforcement of actual compliance as required under MWELO. Applicants may submit certificate of completion packages post construction/installation which could very well end up being after the certificate of occupancy has been issued. Once a certificate of occupancy is issued, the Planning Department is left without any ability, influence or power to require landscape inspection or the correction of landscaping that is not compliant with the State's MWELO. The results are in contradiction to the following State's MWELO requirements:

- The local agency is responsible for the enforcement of MWELO which is not limited to approval of a permit as required under Section 491(oo), stating that the "local agency ... is responsible for adopting and implementing the ordinance ... [and] responsible for the enforcement of this ordinance..."
- "Local agencies shall report on implementation and enforcement ... [and] describe enforcement measures." (Section 495(a)(10))
- MWELO shall apply to all of the landscapes listed in Section 490.1(a) discussing new construction, rehabilitated landscape projects, existing landscapes and cemeteries.

In the research and training conducted by staff, it has been determined that requiring submission of a landscape certificate of completion package for review and approval prior to the issuance of certificate of occupancy reinforces that landscape project comply with the requirements of MWELO. This would be required under both the performance and prescriptive pathways. The requirement of review and approval of a certificate of completion package, including an inspection if required, prior to the issuance of a certificate of occupancy is not included in the State's

MWELo. To compound the problems with enforcement, there are no specific penalties allowed under the State's MWELo.

## **2. Proposed Solution**

The State has provided options for local agencies to build in enforcement and penalties. Pursuant to Government Code Section 65595(c), a local agency shall adopt the State's MWELo or local WELo that is at least as effective in conserving water as the State's MWELo, and a pursuant to section 492.2 of MWELo a local agency may establish and administer penalties to the project applicant for non-compliance with the ordinance to the extent permitted by law.

Staff is proposing the adoption of the proposed WELo code amendment for incorporating the State's MWELo by reference and adding enforcement measures and penalties. The proposed enforcement measure would require an applicant to submit a certificate of completion package, under both the prescriptive and performance pathways, for review and approval prior to the issuance of a certificate of occupancy from the Building and Safety Department. The proposed penalties would allow staff to penalize applicants primarily by not granting certificates of occupancy for non-compliance with the WELo. These proposed new local additions to the State's MWELo would make the County's local WELo more effective than the State's MWELo in gaining compliance.

Planning staff recommend the landscape application review processes remain the same as the State's MWELo prescriptive and performance pathways and to be incorporated by reference into the proposed Inyo County WELo.

## **FINDINGS**

### *California Environmental Quality Act (CEQA)*

The proposed code amendment to adopt and incorporate MWELo by reference is exempt from the California Environmental Quality Act (CEQA) because the ordinance adoption is ministerial in that it is required by State regulation and is therefore not a "project" pursuant to CEQA. The proposed code amendment is also covered by the "common sense" rule under California Code of Regulations, Title 14, section 15061(b)(3). Under the common sense rule exemption, projects which have no potential for causing a significant effect on the environment are exempt. This proposed amendment has no possibility of having a significant effect on the environment.

### *General Plan Consistency*

The General Plan has a goal and policy that reflect a strong desire to adopt regulations that further water conservation efforts. The following goal and policy from the General Plan align with the adoption of the proposed WELo:

- A. Goal PSU-3 To ensure that there will be safe and reliable water supply sufficient to meet the future needs of the County.

B. Policy PSU-3.1 **Efficient Water Use.** The County shall promote efficient water use and reduced water demand by:

- i. Requiring water-conserving design and equipment in new construction;
- ii. Encouraging water-conserving landscaping and other conservation measures;
- iii. Encouraging the retrofitting of existing development with water-conserving devices;
- iv. Providing public education programs;
- v. Distributing outdoor lawn watering guidelines;
- vi. Promoting water audit and leak detection programs; and
- vii. Enforcing water conservation programs.

The Inyo County goal and policy are consistent with the requirements under the State MWELO in that they encourage water conservation and efficient use of water through landscaping. These County objectives will be supported by the adoption of a WELO code amendment and as a result will be consistent with the County's General Plan.

*Zoning Ordinance Consistency*

None of the proposed changes are in conflict with the County's zoning code. The code amendment is being proposed to implement and bring the County code into compliance with the State's MWELO mandate. The adoption of a local WELO will not affect the intent of Title 18 to direct certain types of land uses in specific areas of the County.

**RECOMMENDATION**

Staff is recommending that the Planning Commission make certain findings and adopt the Resolution recommending the Board of Supervisors adopt Code Amendment No. 2024-01/Water Efficient Landscape Ordinance.

**ATTACHMENTS**

1. Ordinance
2. Resolution

**REFERENCE**

1. The State of California's Model Water Efficient Landscape Ordinance can be found at: <https://www.inyocounty.us/services/planning-department/current-projects> under Code Amendment 2024-01/Water Efficient Landscape Ordinance.

**ORDINANCE NO.**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO,  
STATE OF CALIFORNIA, AMENDING TITLE 17 OF THE INYO COUNTY CODE TO  
ADOPT THE CALIFORNIA WATER-EFFICIENT LANDSCAPING ORDINANCE  
PURSUANT TO THE CALIFORNIA WATER CONSERVATION  
IN LANDSCAPING ACT**

**WHEREAS**, in 1990 the State of California adopted the Water Conservation in Landscaping Act, codified at sections 65590 et seq. of the Government Code, which required the State Department of Water Resources (DWR) to adopt a model water efficient landscape ordinance (MWELo) to improve state water conservation efforts by reducing the waste associated with outdoor landscaping irrigation; and

**WHEREAS**, pursuant to the Act, the State's MWELo adopted by DWR would take effect and be enforced by any local agency that did not adopt its own model water efficient landscape ordinance (or findings that such ordinance was unnecessary) by January 1, 1993; and

**WHEREAS**, in 2006 the State repealed the Water Conservation in Landscaping Act and adopted a new Water Conservation in Landscaping Act (Act), codified at Government Code sections 65591 et seq. The new Act required DWR to update the previously adopted MWELo to include new provisions for more extensive water-efficient landscaping, plant and soil selection, and irrigation considerations; and

**WHEREAS**, pursuant to Government Code section 65595, the State's updated MWELo would take effect and be enforced by any local jurisdiction that did not adopt its own model water efficient landscape ordinance by January 1, 2010; and

**WHEREAS**, in 2015 Executive Order No. B-29-15 directed DWR to again update the State's MWELo to extend its application to new, rehabilitated, and existing landscaping as detailed in Title 23, Division 2, Chapter 2.7 of the California Code of Regulations, and pursuant to Government Code section 65596.5, DWR is required to update its MWELo at least every three years; and

**WHEREAS**, pursuant to 14 CCR section 18989.2, a "jurisdiction shall adopt an ordinance or other enforceable requirement that requires compliance with Sections 492.6(a)(3)(B), (C), (D) and (G) of the Model Water Efficient Landscape Ordinance ... as amended September 15, 2015."; and

**WHEREAS**, since 1993, the State's MWELo has applied to Inyo County by default as the County has not previously formally adopted the State's MWELo or a local water efficient landscape ordinance; and

**WHEREAS**, pursuant to Government Code Section 65595, a local government may adopt a water efficient landscape ordinance to implement the State MWELo requirements; and

**WHEREAS**, the purpose of a water efficient landscaping ordinance is to promote the conservation and efficient use of water, and prevent its waste, while recognizing the values and benefits of landscapes as essential to the quality of life in California; and

**WHEREAS**, incorporating the State MWELO by reference into the County’s water efficient landscape ordinance will ensure the County remains in compliance with state regulations as they may be amended from time to time, and will improve clarity for County residents and businesses regarding the applicable water efficient landscaping requirements; and

**WHEREAS**, staff now recommends Inyo County amend Title 17 of the Inyo County Code to adopt the State MWELO and additional requirements specific to Inyo County; and

**WHEREAS**, on February 28, 2024 the Inyo County Planning Commission held a duly noticed public hearing on the adoption of the proposed ordinance and recommended it for adoption by the Board via Resolution **XXXXX**.

**NOW, THEREFORE, the Board of Supervisors, County of Inyo** affirms and adopts the findings of the Inyo County Planning Commission pursuant to **Resolution number XXXX** and based on the evidence before it, independently FINDS and DETERMINES, for the reasons set forth below and elsewhere in the record as follows:

**SECTION I.** The recitals above are incorporated herein as findings.

**SECTION II.** Title 17 of the Inyo County Code is hereby amended to read as follows:

**Title 17 – WATER AND LANDSCAPE EFFICIENCY**

**Chapter 17.04 WATER EFFICIENT LANDSCAPE ORDINANCE**

**17.04.010 Purpose and Intent.**

The purpose of this Chapter is to ensure the design, construction, installation, and maintenance of landscapes within Inyo County meet the requirements of the California Model Water Efficient Landscape Ordinance as outlined in Title 23, Division 2, Chapter 2.7 of the California Code of Regulations and Government Code Section 65595.

**17.04.020 Adoption of the California Model Water Efficient Landscape Ordinance.**

- A. The California Model Water Efficient Landscape Ordinance adopted by the California Department of Water Resources and as set forth in Chapter 2.7 of Division 2, Title 23, of the California Code of Regulations, (the “MWELO”), and as may be amended from time to time, is hereby adopted and incorporated into this Title by reference as though it were fully set forth herein. In addition to those requirements set forth in the MWELO, an applicant must meet the requirements of this Chapter.

- B. At least one copy of the MWELo is on file with the Inyo County Clerk's Office.

**17.04.030 Enforcement.**

- A. No building permit shall be issued unless the statement of compliance required by Title 23, Division 2, Chapter 2.7 of the California Code of Regulations has been included on the final landscape design plan submitted for plan check approval.
- B. No building permit shall be given a final landscape inspection or issued any certificate of occupancy until the Planning Director receives and approves the Certificate of Completion as required by Title 23, Division 2, Chapter 2.7 of the California Code of Regulations.

**17.04.40 Violations.**

- A. It is unlawful for any person to remove or cause removal of water-conserving irrigation or equipment contrary to the provisions of this Chapter.
- B. It is unlawful for any person to violate any provision or to fail to comply with any of the requirements of this Chapter. Any person violating any provision of this Chapter or failing to comply with any of its requirements is guilty of a misdemeanor.
- C. This Chapter may be enforced by any remedy allowed under this code, including Chapter 22, and by any other remedy allowed by law.

**SECTION III. Environmental Determination.** The proposed code amendment to adopt and incorporate MWELo by reference is exempt from the California Environmental Quality Act (CEQA) because the ordinance adoption is ministerial in that it is required by State regulation and is therefore not a "project" pursuant to CEQA. The proposed code amendment is also covered by the "common sense" rule under California Code of Regulations, Title 14, section 15061(b)(3). Under the common sense rule exemption, projects which have no potential for causing a significant effect on the environment are exempt. This proposed amendment has no possibility of having a significant effect on the environment.

**SECTION IV. Severability.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provision or clauses or application of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.



**SECTION V.** This ordinance shall become effective thirty (30) days from the date of its adoption and final passage, which appears immediately below. The Clerk of the Board of Supervisors shall post this ordinance and also publish the ordinance in the manner prescribed by Government Code Section 25124 no later than fifteen (15) days after the date of its adoption and final passage. If the Clerk fails to publish this ordinance within said fifteen (15) day-period, then the ordinance shall not take effect until thirty (30) days after the date of publication.

PASSED, APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Matt Kingsley, Chair  
Inyo County Board of Supervisors

ATTEST:

Nate Greenberg, Clerk of the Board

---

Darcy Ellis, Assistant Clerk of the Board

**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS FIND THE PROPOSED PROJECT EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE ORDINANCE AMENDING TITLE 17 OF THE INYO COUNTY CODE TO ADOPT THE CALIFORNIA WATER-EFFICIENT LANDSCAPING ORDINANCE PURSUANT TO STATE LAW**

**WHEREAS**, in 1990 the State of California adopted the Water Conservation in Landscaping Act, codified at sections 65590 et seq. of the Government Code, which required the State Department of Water Resources (DWR) to adopt a model water efficient landscape ordinance (MWELo) to improve state water conservation efforts by reducing the waste associated with outdoor landscaping irrigation; and

**WHEREAS**, pursuant to the Act, the State's MWELo adopted by DWR would take effect and be enforced by any local agency that did not adopt its own model water efficient landscape ordinance (or findings that such ordinance was unnecessary) by January 1, 1993; and

**WHEREAS**, in 2006 the State repealed the Water Conservation in Landscaping Act and adopted a new Water Conservation in Landscaping Act, codified at Government Code sections 65591 et seq. The new Act required DWR to update the previously adopted MWELo to include new provisions for more extensive water-efficient landscaping, plant and soil selection, and irrigation considerations; and

**WHEREAS**, pursuant to Government Code section 65595, the State's updated MWELo would take effect and be enforced by any local jurisdiction that did not adopt its own model water efficient landscape ordinance by January 1, 2010; and

**WHEREAS**, in 2015 Executive Order No. B-29-15 directed DWR to again update the State's MWELo to extend its application to new, rehabilitated, and existing landscaping as detailed in Title 23, Division 2, Chapter 2.7 of the California Code of Regulations, and pursuant to Government Code section 65596.5, DWR is required to update its MWELo at least every three years; and

**WHEREAS**, pursuant to 14 CCR section 18989.2 filed November 3, 2020, a "jurisdiction shall adopt an ordinance or other enforceable requirement that requires compliance with Sections 492.6(a)(3)(B), (C), (D) and (G) of the Model Water Efficient Landscape Ordinance ... as amended September 15, 2015."; and

**WHEREAS**, pursuant to Government Code Section 65595, a local government may adopt a water efficient landscape ordinance to implement the State MWELo requirements; and

**WHEREAS**, the purpose of a water efficient landscaping ordinance is to promote the conservation and efficient use of water, and prevent its waste, while recognizing the values and benefits of landscapes as essential to the quality of life in California; and

**WHEREAS**, incorporating the State MWELo by reference into the County's water efficient landscape ordinance will ensure the County remains in compliance with state regulations

as they may be amended from time to time, and will improve clarity for County residents and businesses regarding the applicable water efficient landscaping requirements; and

**WHEREAS**, staff now recommends Inyo County amend Title 17 of the Inyo County Code to adopt the State MWELo and additional requirements specific to Inyo County; and

**WHEREAS**, the Inyo County Planning Commission held a duly noticed public hearing on February 28, 2024, to review and consider amending Title 17 of the Inyo County Code to adopt the State MWELo along with additional requirements specific to Inyo County, and at which time the Planning Commission considered all written and oral comments and input from staff and the public; and

**WHEREAS**, the proposed amendments to Title 17 of the Inyo County Code are internally consistent with the goals, objectives, and elements of the County's General Plan and Zoning Code.

**NOW, THEREFORE, THE INYO COUNTY PLANNING COMMISSION HEREBY FINDS, RESOLVES, AND RECOMMENDS AS FOLLOWS:**

**SECTION ONE:** The recitals above are incorporated herein as findings.

**SECTION TWO:** The Planning Commission finds that the proposed amendments are exempt from the California Environmental Quality Act (CEQA) because the activity is covered by the common-sense rule under California Code of Regulations, Title 14, section 15061(b)(3). Under the common-sense rule exemption, projects which have no potential for causing a significant effect on the environment are exempt. This project activity has no possibility of having a significant effect on the environment, and in fact, could result in improvements to the environment by requiring better managed water use.

**SECTION THREE:** The Planning Commission further finds that the proposed amendments are consistent with the state-mandated program established under MWELo Title 23, Division 2, Chapter 2.7 of the California Code of Regulations.

**SECTION FOUR:** The Planning Commission recommends that the Inyo County Board of Supervisors approve the proposed ordinance amending Title 17 of the Inyo County Code to adopt the California Water-Efficient Landscaping Ordinance along with additional requirements specific to Inyo County pursuant to state law.

PASSED AND ADOPTED this 28<sup>th</sup> day of February 2024, by the following vote of the Inyo County Planning Commission:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

Todd Vogel, Chair  
Inyo County Planning Commission

ATTEST:  
Cathreen Richards, Planning Director

By \_\_\_\_\_  
Sally Faircloth, Secretary of the Commission



Starlite), and Multiple Residential 2-Units (R2) and Open Space (OS).

**Surrounding Land Use:** Various

**Recommended Action:** **Approve a Resolution Recommending that the Board of Supervisors:**

**1.) Find the proposed project exempt from the requirements of the California Environmental Quality by 15301 – Existing Facilities Class 1.**

**2.) Make certain Findings with respect to, and approve, Zone Text Amendment ZTA/2024-01**

**Alternatives:**

- 1.) Recommend modifications to the proposal.
- 2.) Recommend denial.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

## **BACKGROUND**

A short-term rental in the context of the county zoning code means the rental of certain residentially zoned properties for 30-days or less. It does not include lodging businesses (motels, hotels, bed and breakfast etc.) or residential rentals located on commercially zoned properties. The code allows for hosted short-term rentals in the: Open Space (OS), Rural Residential (RR), Rural Residential Starlite (RR Starlite), One Family Residential (R1) and Multiple Family 2-Units (R2) zones, with a permit. The only residential zone they are not allowed in is the Multiple Family 3-Units and above (R3) zone. Not allowing for short-term rentals in the R3 zone was a purposeful decision made by the Board when the ordinance was being developed to help protect affordable long-term rental opportunities, as apartments and mobile home parks allowed in the R3 zone.

The Board of Supervisors adopted the County's short-term rental ordinance in 2018. It was then updated in 2020, primarily to eliminate the non-hosted permit type. Currently, there are 26 non-hosted short-term rental permits (these are no longer allowed, but the 26 are grandfathered) and 64-hosted short-term rental permits (hosted short-term rental permits require the owner or a manager to be on the property during a short-term rental stay). There are 4,612-dwelling units available for short-term rental permits (those that meet the zoning requirements) and 90 total short-term rental permits, representing just under 2-percent of the available units in the County.

In June, October and November of 2022, and March 2023 staff held a series of short-term rental workshops to the Board of Supervisors. At the November 29, 2022 meeting, a 45-day moratorium was placed on short-term rental permits. On January 10th, 2023, an additional moratorium was placed on short-term rentals for 10-months and 15-days - until November 25, 2023 and another extension was approved on November 7, 2023 to end on November 25, 2024. During this time, staff continued to receive inquiries (about one/two a week) from the public interested in obtaining hosted short-term rental permits.

The Board requested that staff continue to work on updates to the short-term rental ordinance, specifically on the enforcement section, short-term rental areas, caps, and time limits. Geographic areas were identified and used to prepare percentages of available units for short-term rental permit evaluations (maps attached). These include, from highest to lowest percentage:

<b>Area</b>	<b>Available units</b>	<b>Hosted</b>	<b>Non-hosted</b>	<b>Total Permits</b>	<b>Pct.</b>
Starlite	76	4	1	5	6.6
Lone Pine_ Alabama Hills_ Pangborn, Granite View	701	25	10	35	5.0
North County	183	4	3	7	3.8
McLaren_ Milovich_ Desiderata	271	6	2	8	2.9
Aspendell_ Mountain View	155	2	2	4	2.6
Sunrise_ Sunset	499	5	2	7	1.4
South_ Southeast County	571	5	1	6	1.1
Big Pine/ Glacier/ Birch Creek	600	4	1	5	0.8
Dixon/Meadow_ Brockman_ Early Pond	611	5	2	7	1.1
South of Line Street_ Poleta	375	2	1	3	0.8
Independence/ Oak Creek	291	1	1	2	0.7
Wilkerson Bishop Creek, Chipmonk, Rossi	279	1	0	1	0.3
<b>Total</b>	<b>4,612</b>	<b>64</b>	<b>26</b>	<b>90</b>	<b>1.9</b>

Starlite and the Lone Pine area appear to be the most favored areas for short-term rentals, with the North County and McLaren/ Milovich/Desiderata areas next. The area including Lone Pine and the Alabama Hills has by far the highest number of short-term rental permits (35). The next highest number of permits is the McLaren, Milovich, Desiderata area with (8).

On January 9, 2024, the Board provided direction to staff to prepare an ordinance updating the short-term rental ordinance to address: short-term rental areas, caps, and

time limits, eliminating outdoors fires, adding a proof of insurance requirement and enhancing the code enforcement section.

## STAFF ANALYSIS

### *Short-term Rental Areas*

Short-term rental areas have been developed based on geographic locations to base the total number of hosted short-term rental permits that will be allowed. These areas are shown on the attached maps and are used in the previous and following tables.

### *Caps*

A 5-percent cap on short-term rentals was suggested to the Board by staff in case they wished to impose a cap. A table showing how many short-term rental permits would be allowed with a 5-percent cap was provided to the Board. Staff also created tables with 3-percent and 2-percent caps. The Board decided to go with the 3-percent cap on short-term rental per area as indicated on the following table:

Area	Available units	3% of available	Total Permits	Additional allowed @ 3%
Starlite	76	2	5	-3
Aspendell/Mountain View	155	5	4	1
Lone Pine	701	21	35	-14
North County	183	5	7	-2
McLaren_Milovich_Desiderata	271	8	8	0
Sunrise/Sunset	499	15	7	8
South_Southeast County	571	17	6	11
Big Pine	600	18	5	13
Dixon/Meadow_Brockman_Early Pond	611	18	7	11
South of Line Street_Poleta	375	11	3	8
Independence	291	9	2	7
Wilkerson_Bishop Creek_Chipmonk Rossi	279	8	1	7
Total	4,612	137	90	47



The negative numbers indicated how many permits over the cap these areas will already have, if the cap is imposed, or the number that would have to be relinquished or revoked before new permits could be granted.

Staff also recommended that one cap be used for all areas to:

- Keep the implementation of the short-term rental ordinance less complicated; and,
- Keep the percentages even and fair throughout the County so as not to cause limitations or benefits for property owners in some areas and not in others.

These changes are included in the proposed code update.

### ***Unused permits***

In certain areas these caps will make getting a new hosted short-term rental permit impossible. This applies to areas that have already met the cap, such as Starlite and the Lone Pine area, or reach the cap after it is imposed. Because of this, an update addressing unused permits is also being included in the proposed code update. A proxy to monitor short-term rental permit use will be a check on Transient Occupancy Tax (TOT) payments. If a short-term rental permit holder has not paid TOT for a full year without an apparent hardship, or reason, staff would consider it an unused permit and require that it be relinquished. This will necessitate an annual review of permit use based on TOT to be conducted on new short-term rental permits and this is reflected in the proposed code updates.

### ***Time Limits***

Along with the caps, the Board expressed a lot of interest in limiting the time of a hosted short-term rental permit, so that they do not remain active forever without a renewal cycle and mechanism. This time limit can only be applied to new permits granted after the ordinance update and not to permits granted prior. The update proposes that all new short-term rental permits are three-year permits. A renewal application will be required for another three-year permit term and at a minimum the application requirements, include:

- A check to ensure verifiable violation complaints have not been received on the short-term rental.
- Verification from the Building and Safety Department that no building code violations have been sited on the property or the building the short-term rental is permitted for.
- Verification from the Environmental Health Department that no well, septic, or other health and safety violations have been found on the property or the building the short-term rental is permitted for.

### **Additional Changes**

The proposed updates also include:

- prohibiting outdoor fires.
- adding a requirement to show proof of insurance.
- changing the enforcement process to assigning the Planning Commission as the revocation hearings board from the Planning Director having the authority to revoke, and changing the requirement from the permit holder to address nuisance

complaints within 45-90 minutes and contact the Planning Department within twenty-four hours of the complaint: to the permit holder being responsible for contacting the tenant to correct the problem and provide a written report to the Planning Department within three-days. This change is proposed because most short-term rental nuisance violations happen on the weekends when county staff is not available to verify complaints.

## **RECOMMENDATIONS**

Staff recommends the Planning Commission make certain findings and approve a resolution (attached) recommending the Board of Supervisors consider ZTA 2024-01, make certain findings, and adopt the proposed ordinance (attached), amending the ICC to include Chapter 18.73 Short-term Rental of Residential Property.

### **Recommended Findings**

1. This proposed ordinance is covered by CEQA Exemption Class 1 Existing Facilities (15301).

[Evidence: projects subsequent to this ordinance will be pursuant to CEQA Guidelines Section 15301 Existing Facilities Class 1, as Short-term Rentals are defined as a means to provide transient lodging in an existing residential dwelling unit in the One Family Residential, Rural Residential, Rural Residential-Starlite, Multiple Family 2-Units, and Open Space Zones, and will involve negligible or no expansion of an existing use. Proposals such as these fall into the Categorical Exemption Class 1 Existing Facilities (15301).]

2. Based on substantial evidence in the record, the proposed Zoning text Amendment is consistent with the Goals and Policies of the Inyo County General Plan.

[Evidence: The County's General Plan states, in Policy No. LU-2.17, that the County shall encourage home occupations (small scale commercial activities and uses). Such commercial activities and uses located in residential areas shall be permitted only when they do not negatively impact the residential character of the neighborhood in which the activity takes place. The proposed new language directly addresses potential negative impacts to the residential character of the neighborhood in which the activity takes place, by restricting the number of allowed short-term rental in an area and restricting outdoor fires. The changes also enhance enforcement capabilities, which mitigates nuisances that, in turn, helps to protect residential characteristics.]

3. Based on substantial evidence in the record, the proposed Zone Text Amendment is consistent with Title 18 (Zoning Ordinance of Inyo County Code).

[Evidence: The updates to Chapter 18.73 Short Term Rental of Residential Property maintain the consistency with the descriptions of 18.12 Open Space, 18.21 Rural Residential, 18.22 Rural Residential Starlite, 18.30 One family residential 18.33 and, Multiple Residential 2-units as it does not change the intent or purpose of the use descriptions as described within Title 18. Chapter 18.73 provides for the conditions in which Short-term Rentals may operate, and the restrictions of the use. The character of residential neighborhoods will not be directly affected by these amendments and therefore the amendments will not affect the intent of Title 18 to direct certain types of land uses to specific areas within the County.]

**ATTACHMENTS**

Maps – current permits by area, caps by area

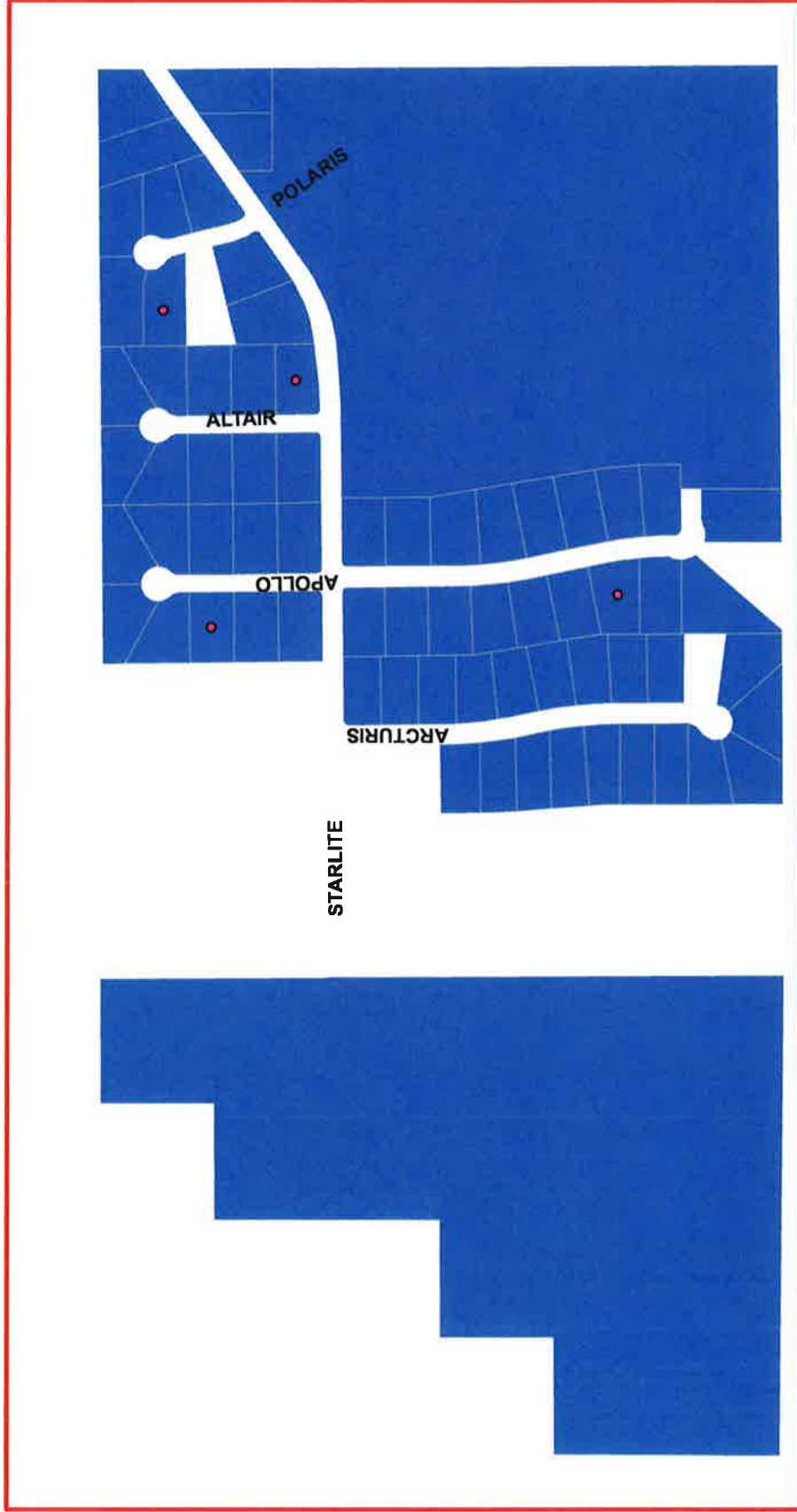
Resolution

Draft Ordinance

## **Maps - Areas and Permits**

# Starlite

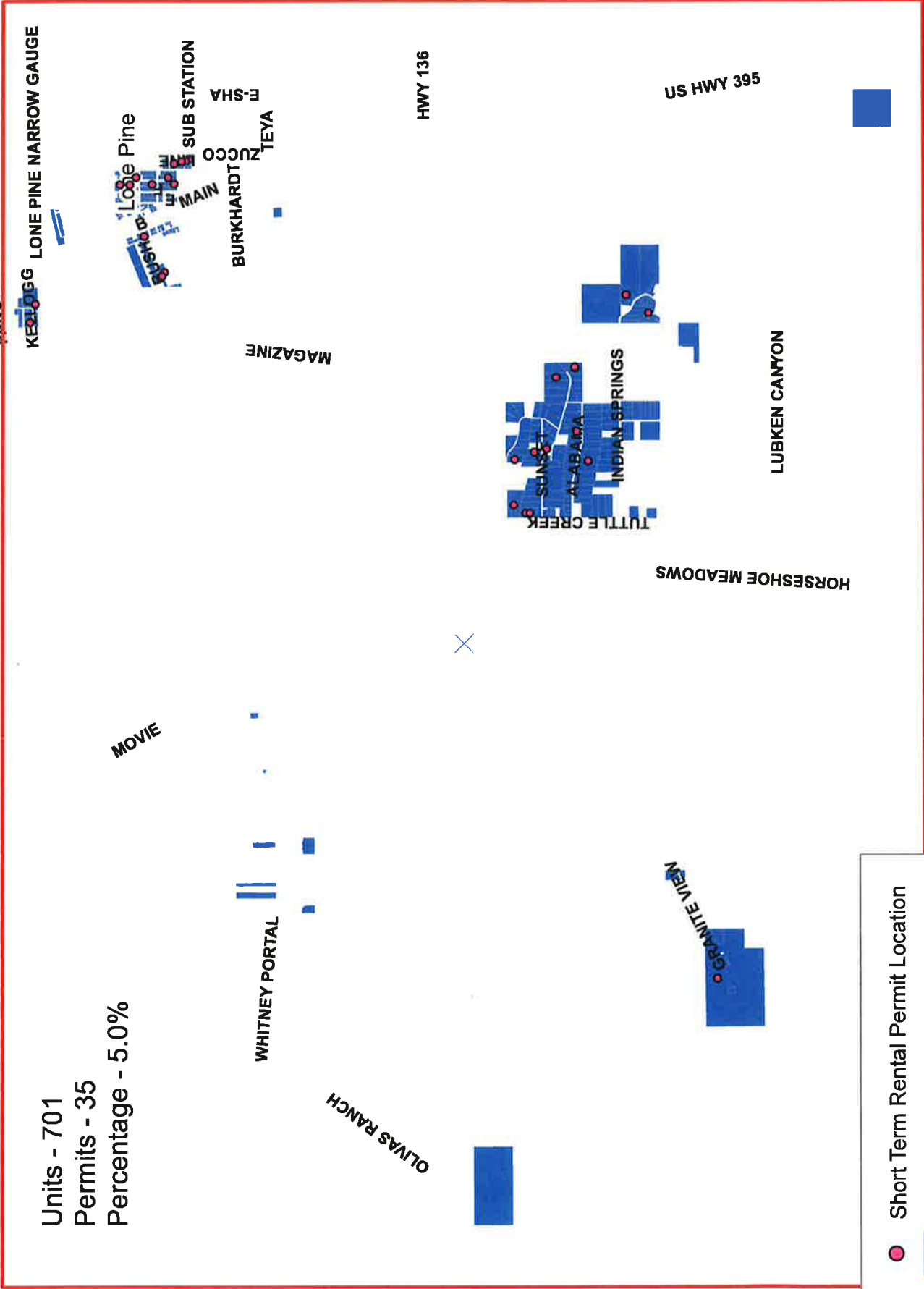
Units - 76  
Permits - 5  
Percentage - 6.6%



- Short Term Rental Permit Location
- Parcels with Units Counted

Lone Pine, Alabama Hills, Pangborn, Granite View

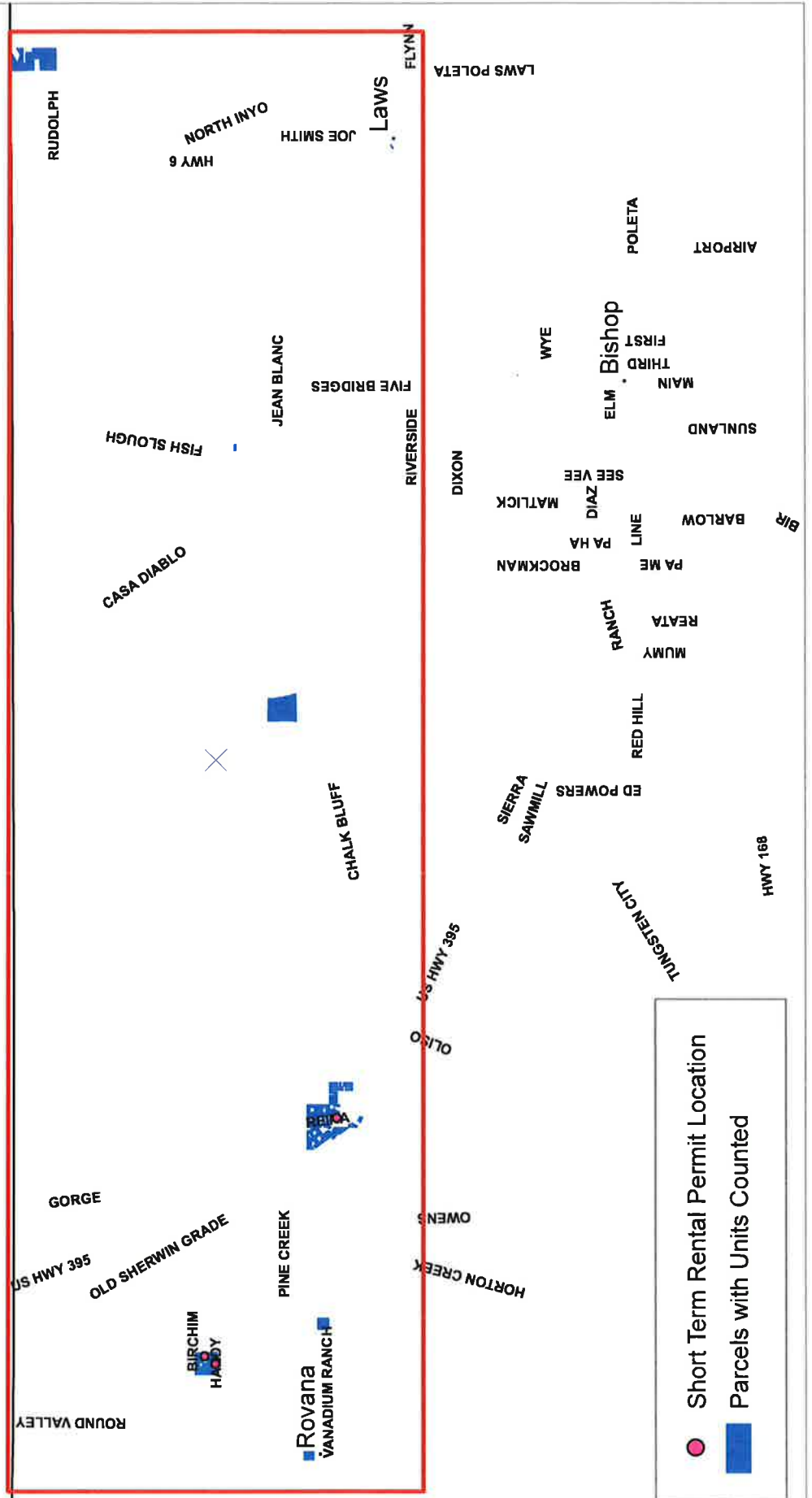
Units - 701  
Permits - 35  
Percentage - 5.0%



● Short Term Rental Permit Location  
■ Parcels with Units Counted

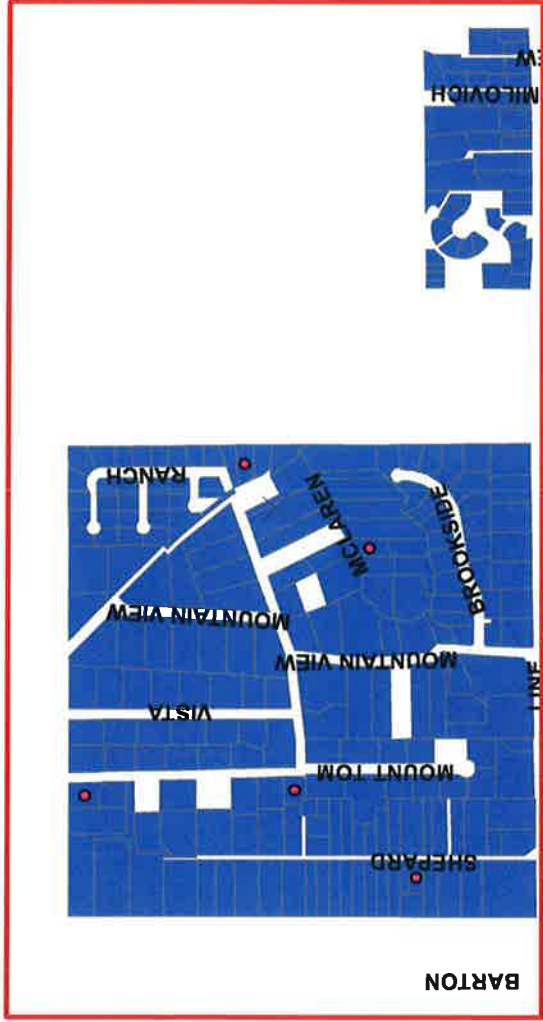
Units - 183  
 Permits - 7  
 Percent - 3.8%

North County



McLaren, Milovich, Desiderata

Units - 271  
 Permits - 8  
 Percentage - 2.9%



RED HILL  
 HWY 168

● Short Term Rental Permit Location  
 ■ Parcels with Units Counted

SEWAYE

DIAZ

WINUBA

BARLOW

TIBEC

BROCKMAN



MILOVICH  
 GRANDVIEW

BIRCH  
 MEADOW

WILDROSE

CEDAR  
 PINON  
 LAUREL

TUMBLEWEED

MESQUITE

INDIAN CREEK

BILLY WILLIAMS

PA HA

HIGHLAND

SUNSET

REATA

FAIRVIEW

WATTERSON

MUMY

BARTON

SHEPARD

MOUNT TOM

VISTA

MOUNTAIN VIEW

MOUNTAIN VIEW

MOUNTAIN VIEW

RANCH

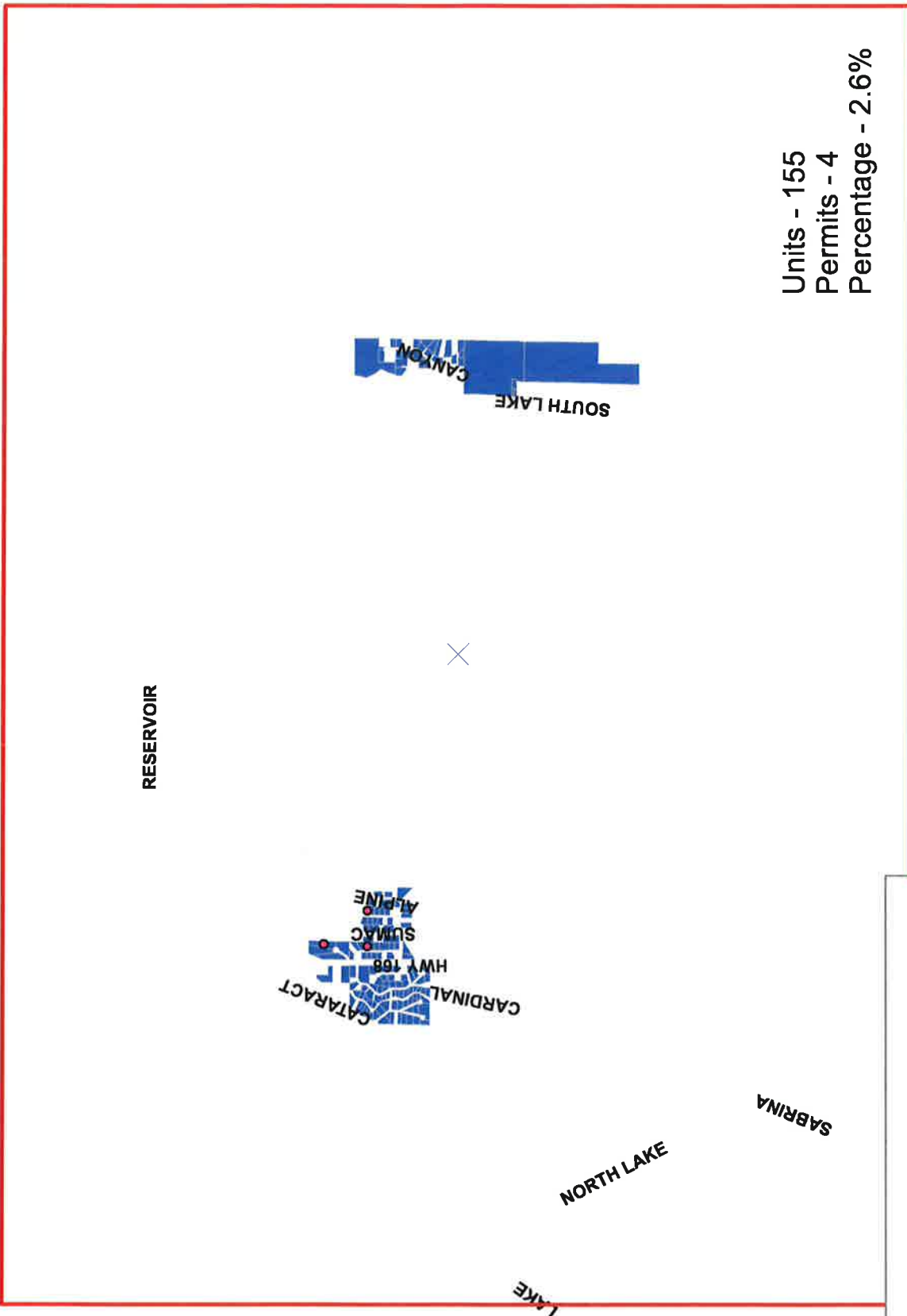
MCCLAREN

BROOKSIDE

LINE



Aspendell, Mountain View



● Short Term Rental Permit Location  
■ Parcels with Units Counted

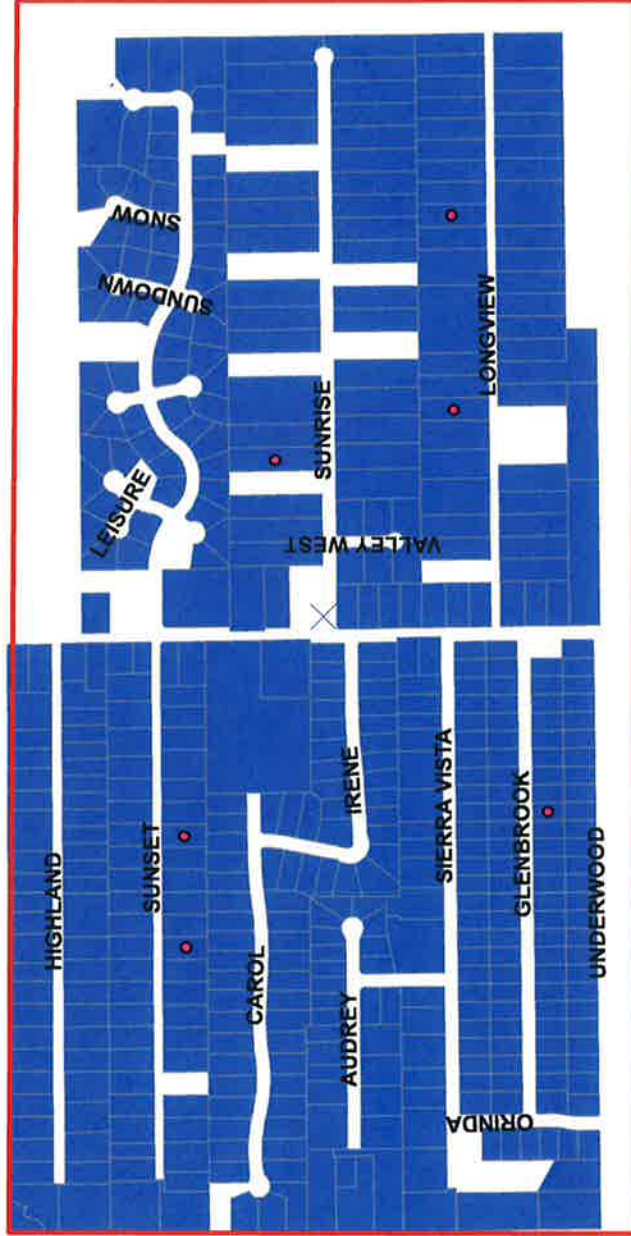
LINE Sunrise, Sunset

MEADOW BIRCH  
 BIRCH MESQUITE  
 GRANDVIEW BIRCH  
 CEDAR CEDAR  
 PINON LAUREL  
 WILDROSE  
 MORNINGSIDE  
 TUMBLEWEED  
 MESQUITE

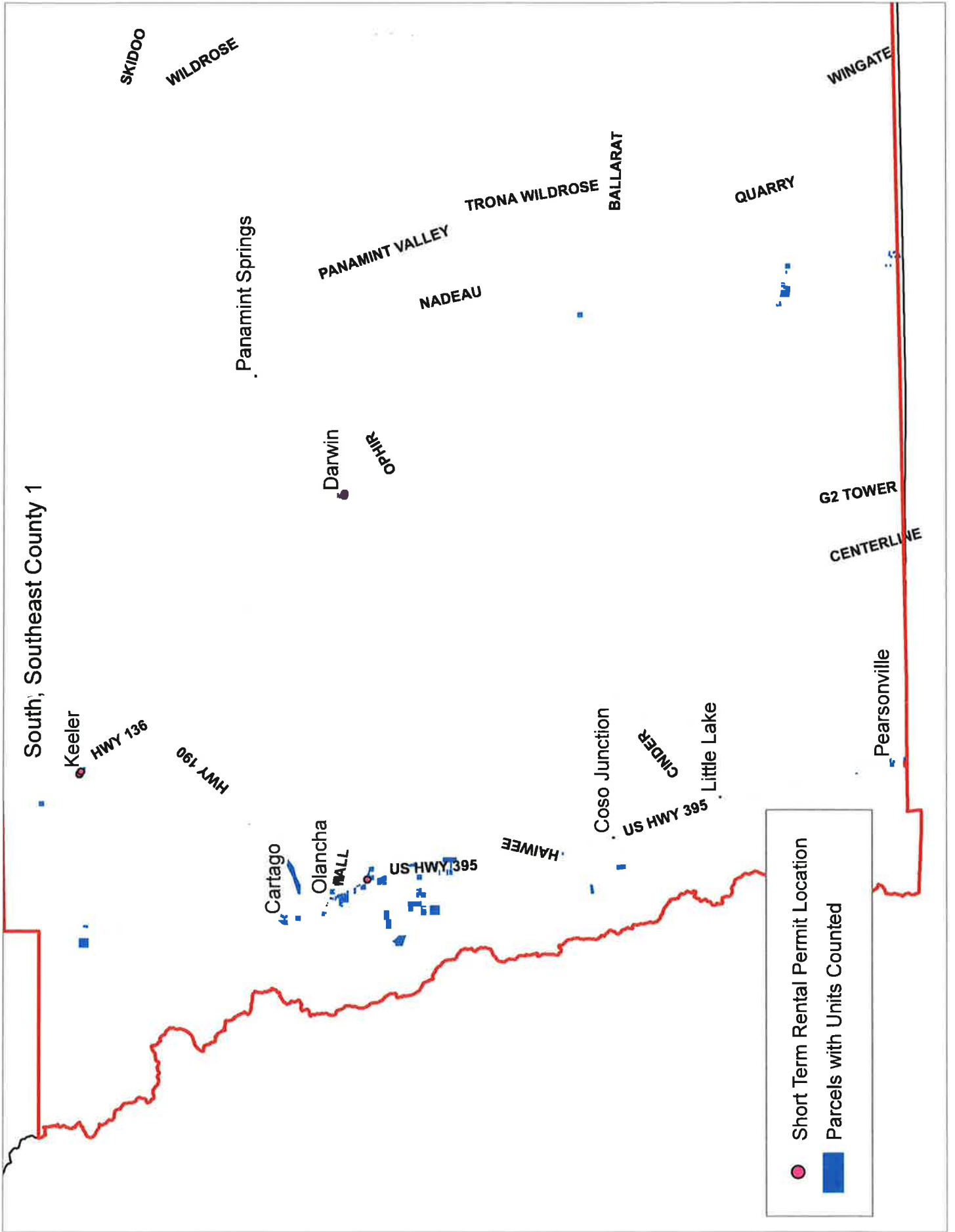
PA HA  
 BILLY WILLIAMS  
 BARLOW

Units - 499  
 Permits - 7  
 Percentage - 1.4%

● Short Term Rental Permit Location  
 ■ Parcels with Units Counted



SCHOBER



South, Southeast County 2

HWY 127

HWY 190 . Death Valley Junction

PETRO

ASH MEADOWS

HWY 178

HWY 178

Shoshone

Tecopa

OLD SPANISH TRAIL

ASTER

AVE A  
AVE C

AVE E Charleston View

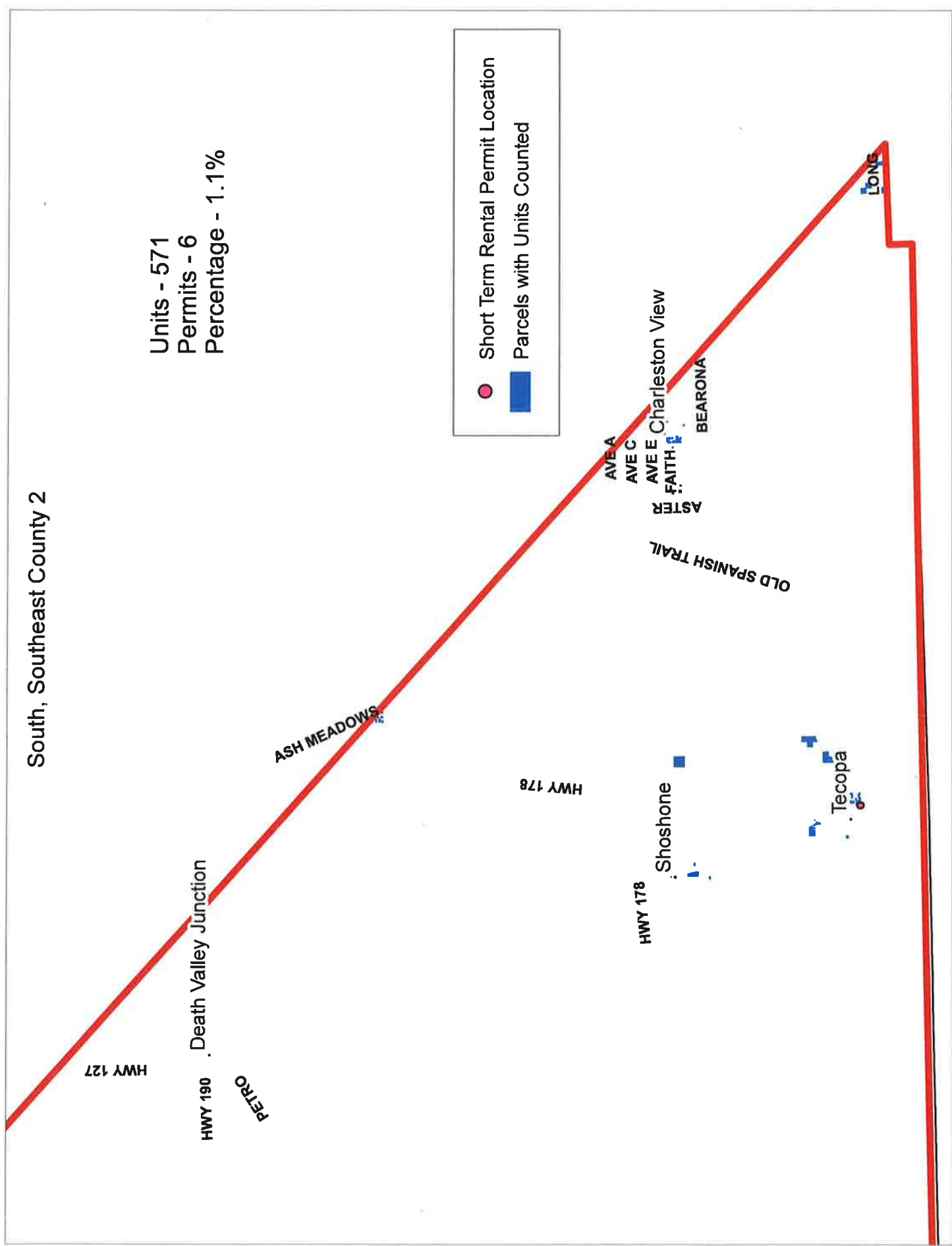
FAITH

BEARONA

LONE

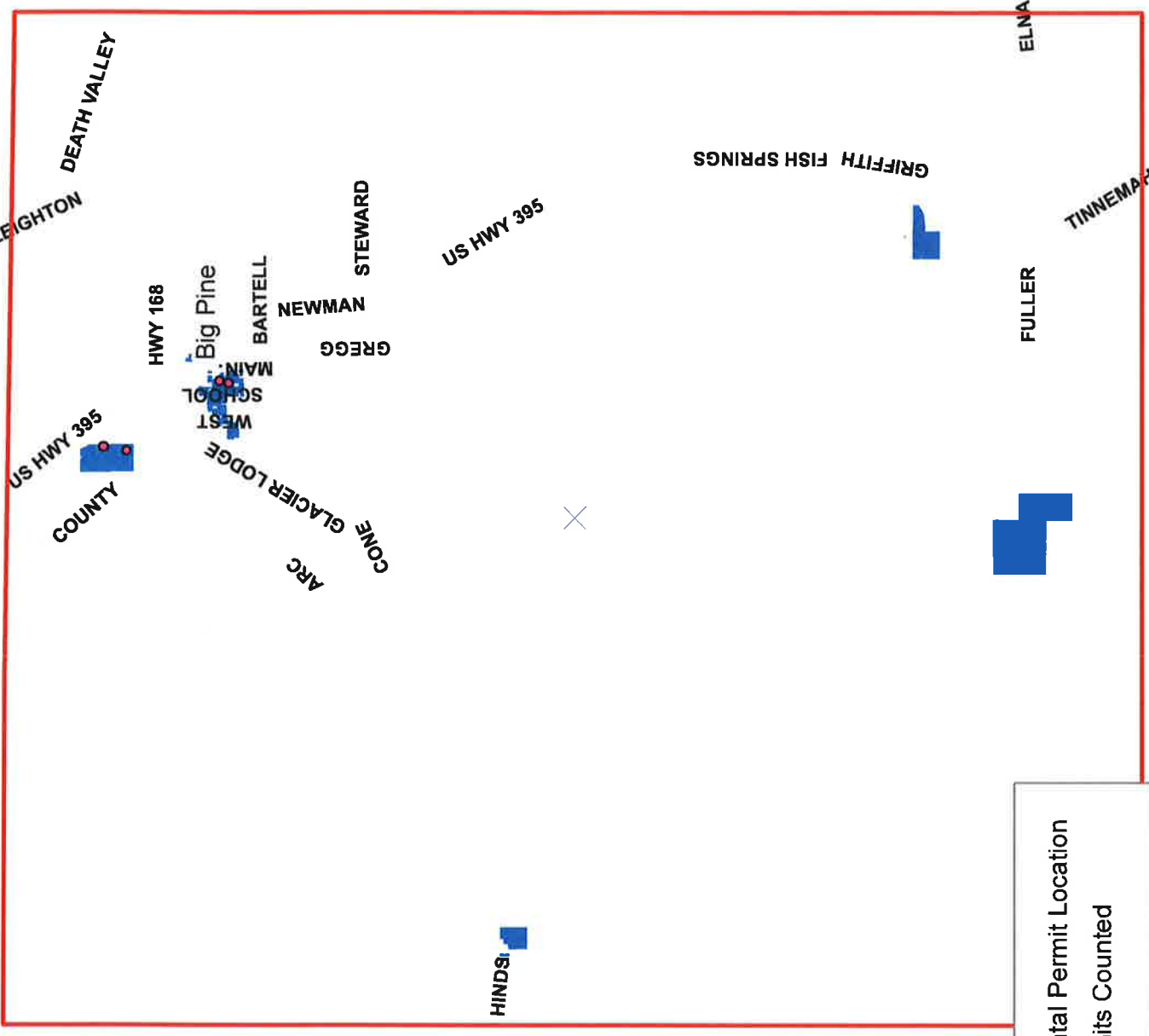
Units - 571  
Permits - 6  
Percentage - 1.1%

Short Term Rental Permit Location  
Parcels with Units Counted



Big Pine, Glacier, Birch Creek

Units - 600  
Permits - 5  
Percentage - 0.8%

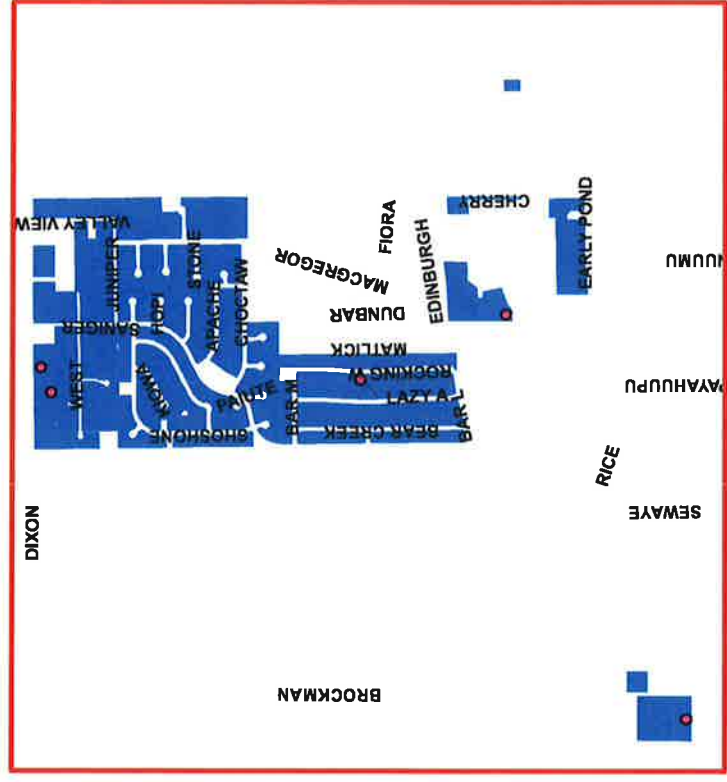


Short Term Rental Permit Location  
Parcels with Units Counted

# Dixon, Meadow Farms, Early Pond, Brockman

Units - 611  
 Permits - 7  
 Percent - 1%

RIVERSIDE



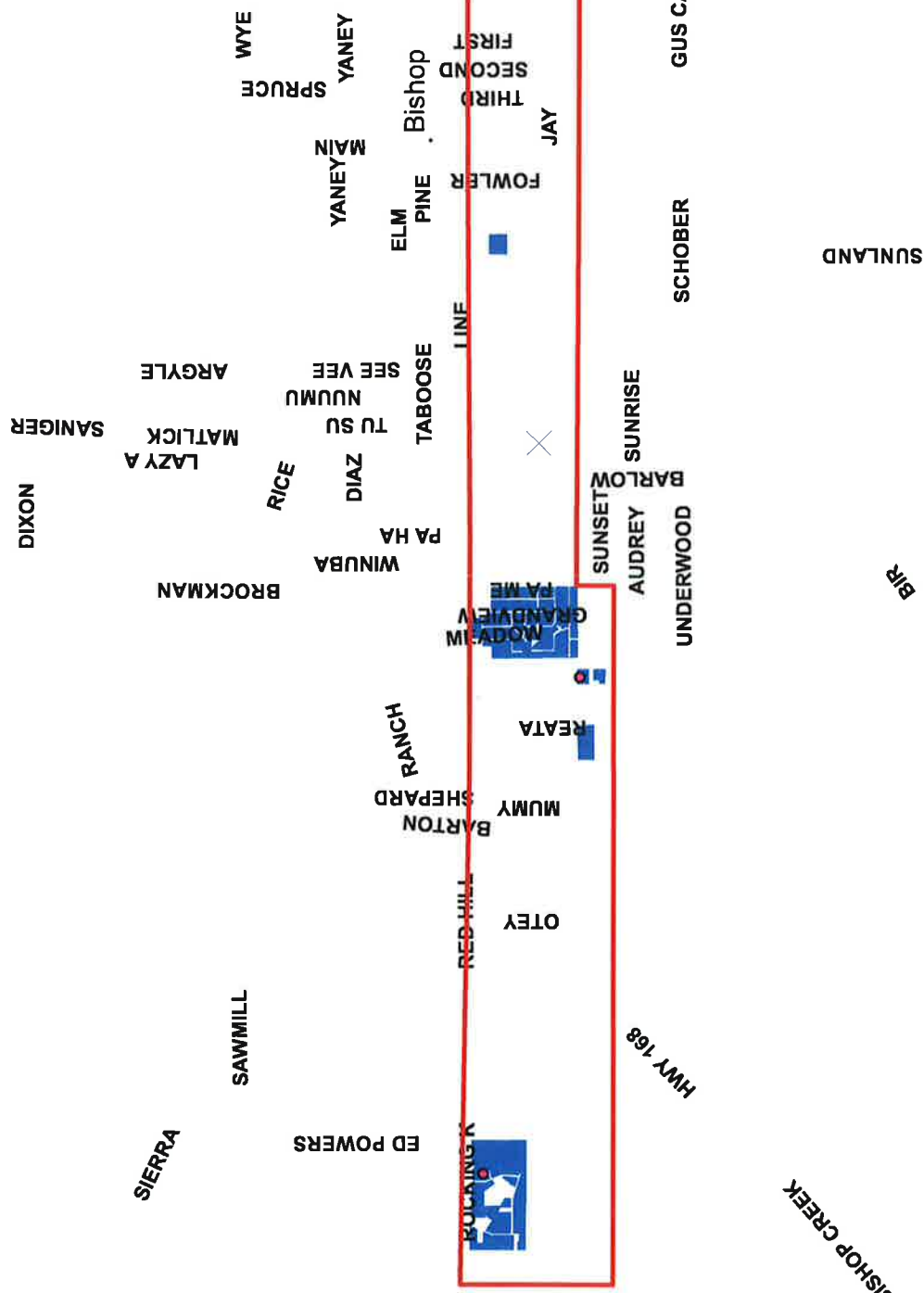
● Short Term Rental Permit Location  
 Parcels with Units Counted

BIRCH

South of Line Street, Poleta

HWY 6

Units - 375  
Permits - 3  
Percentage - 0.8%



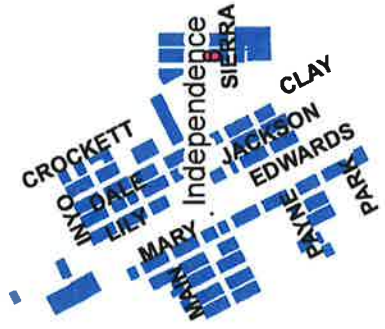
Short Term Rental Permit Location  
Parcels with Units Counted

LOS ANGELES AQUEDUCT

MARKET

MAZOURKA CANYON

Independence, Oak Creek



ONION VALLEY

US HWY 395



FORT INDEPENDENCE

MILLER

OAK CREEK

SCHABBELL

DUSTY  
WILLOW

OAK CREEK

FISH HATCHERY

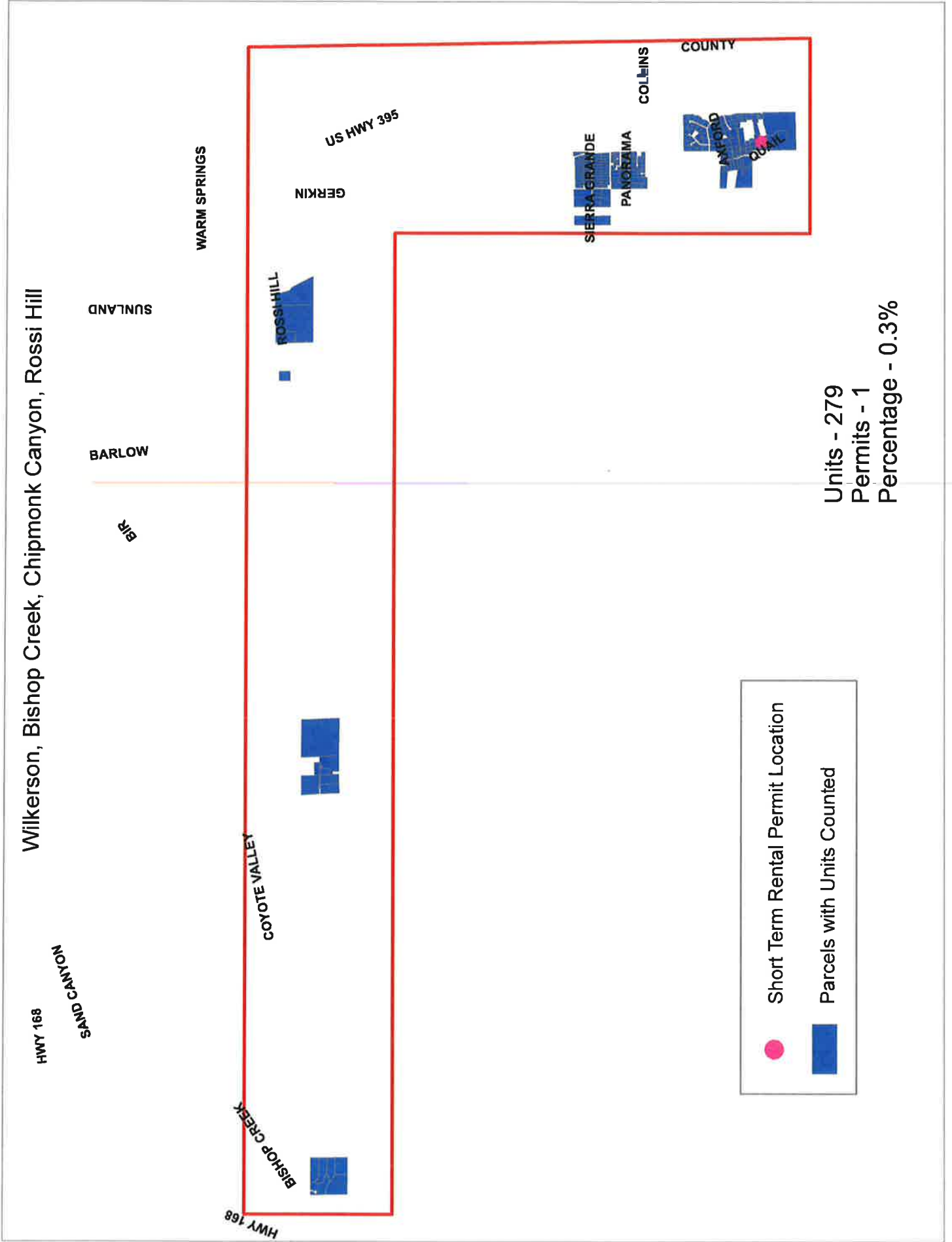
Units - 291  
Permits - 2  
Percentage - 0.7%

Legend:

- Short Term Rental Permit Location
- Parcels with Units Counted



Wilkerson, Bishop Creek, Chipmonk Canyon, Rossi Hill

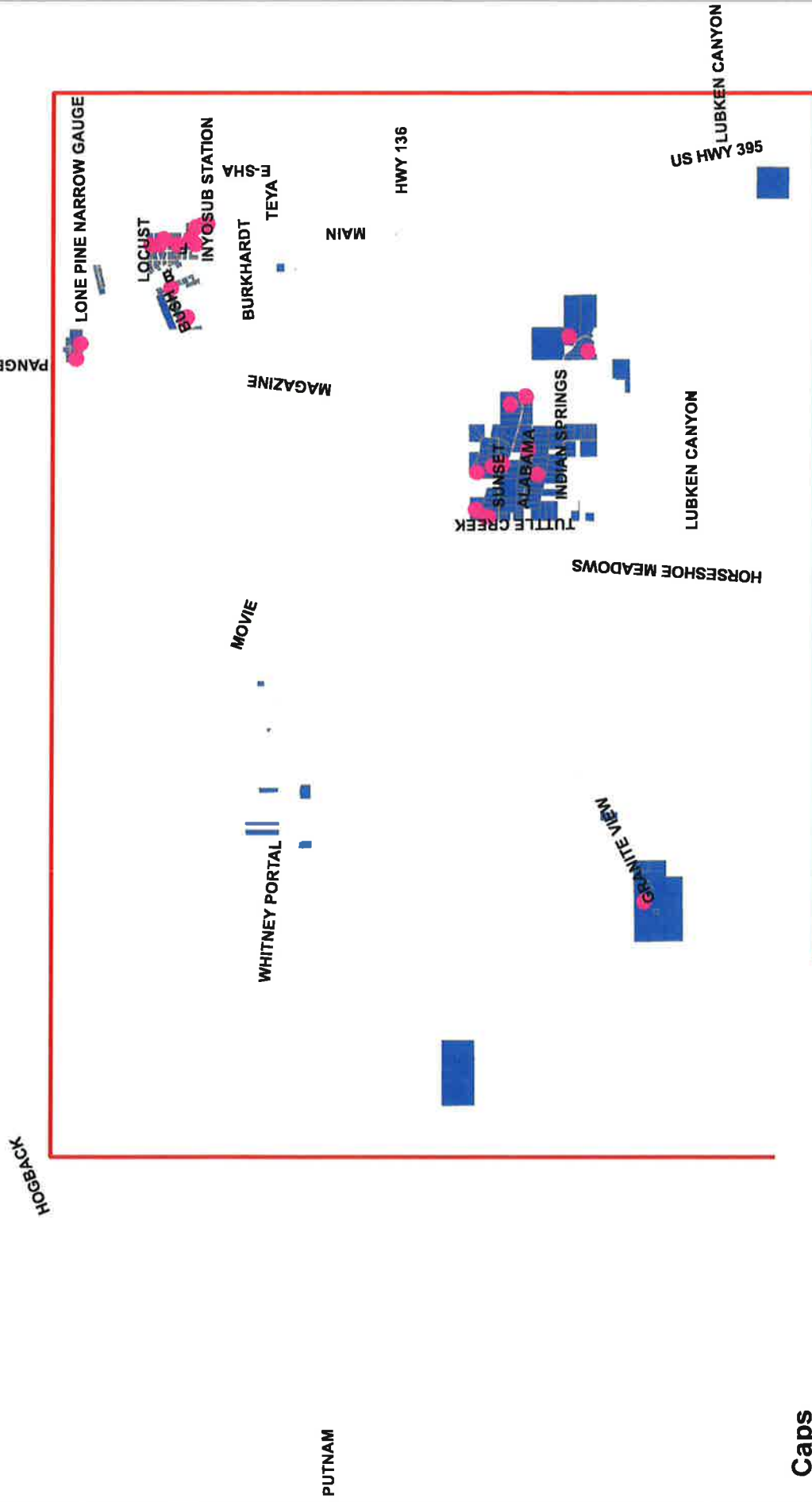


Units - 279  
Permits - 1  
Percentage - 0.3%

## **Maps - Areas with Caps**



# Lone Pine - Alabama Hills - Pangborn - Granite View



## Caps

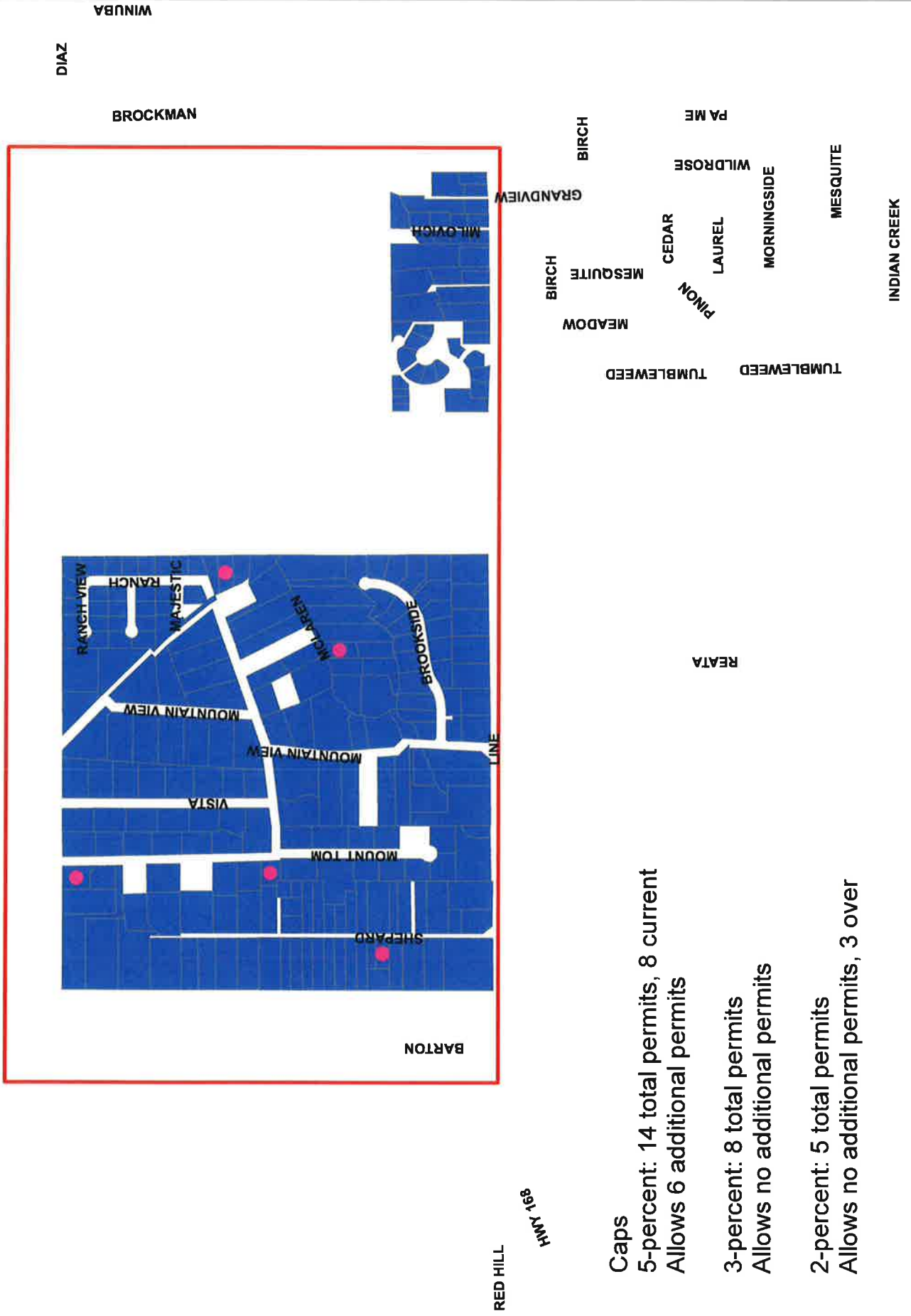
**5-percent: 35 total permits, 35 current**  
**Allows no additional permits**

**3-percent: 21 total permits**  
**Allows no additional permits, 14 over**

**2-percent: 14 total permits**  
**Allows no additional permits, 21 over**



# McLaren, Milovich, Desiderata



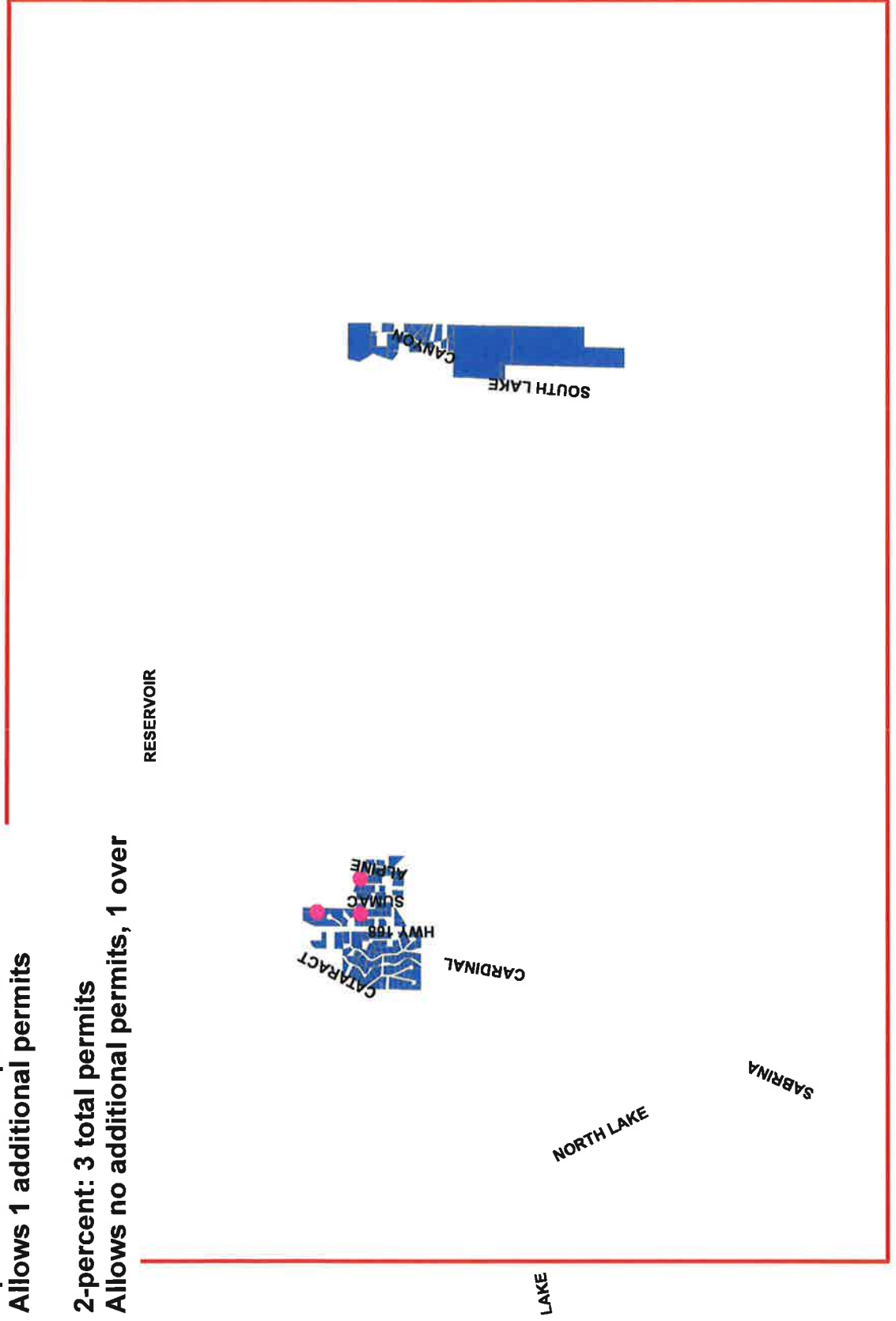
## Aspendell - Mountain View

### Caps

5-percent: 8 total permits, 4 current  
Allows 4 additional permits

3-percent: 5 total permits  
Allows 1 additional permits

2-percent: 3 total permits  
Allows no additional permits, 1 over



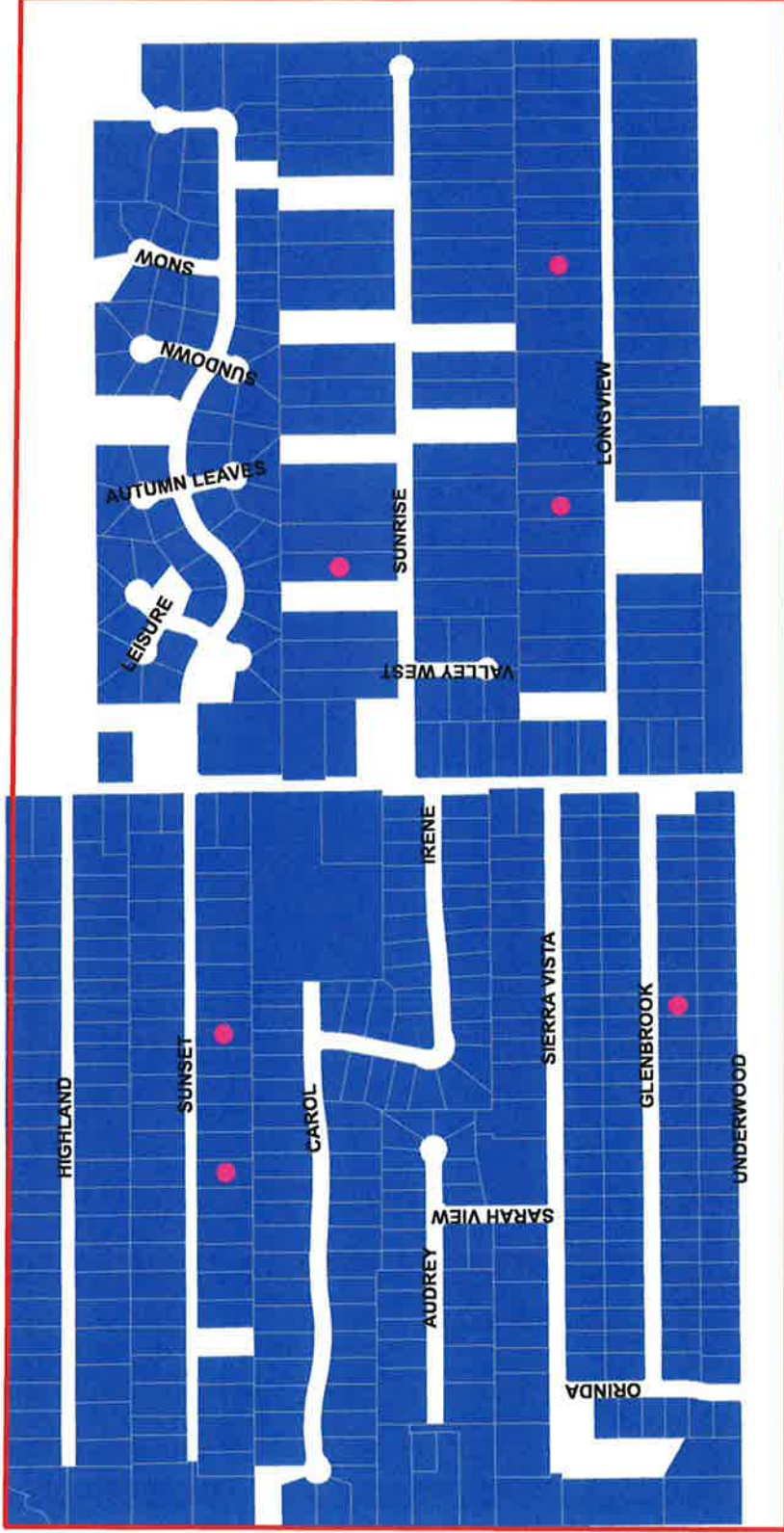
MESQUITE

PA ME

INDIAN CREEK

PA HA

### Sunrise - Sunset



### Caps

**5-percent: 25 total permits, 7 current**  
**Allows 18 additional permits**

**3-percent: 15 total permits**  
**Allows 8 additional permits**

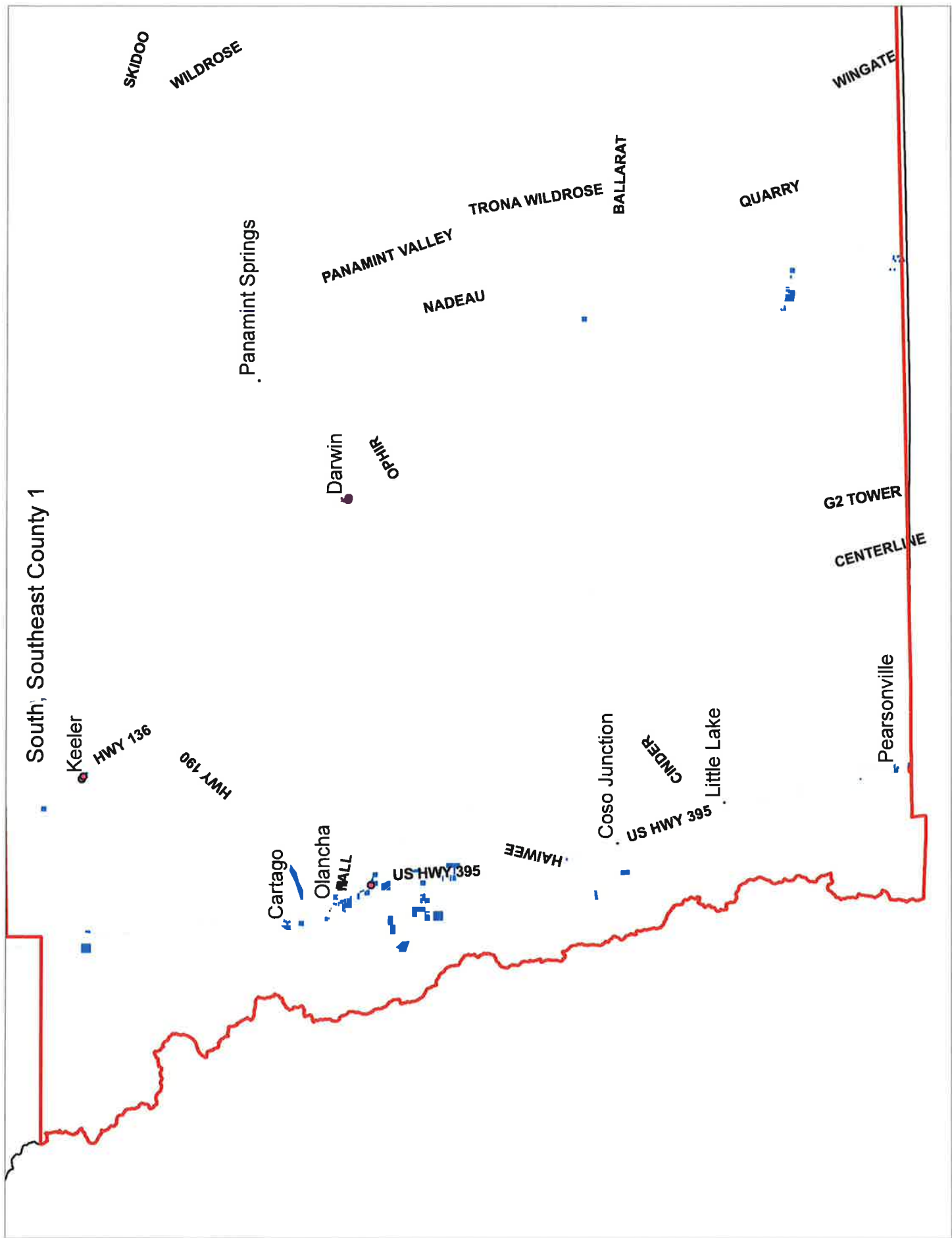
**2-percent: 10 total permits**  
**Allows 3 additional permits**

SCHOBER

BARLOW

SUNLAND INDIAN RESERVATION





South, Southeast County 2

HWY 127

HWY 190 Death Valley Junction

PETRO

ASH MEADOWS

HWY 178

HWY 178

Shoshone

Tecopa

LONG

Caps

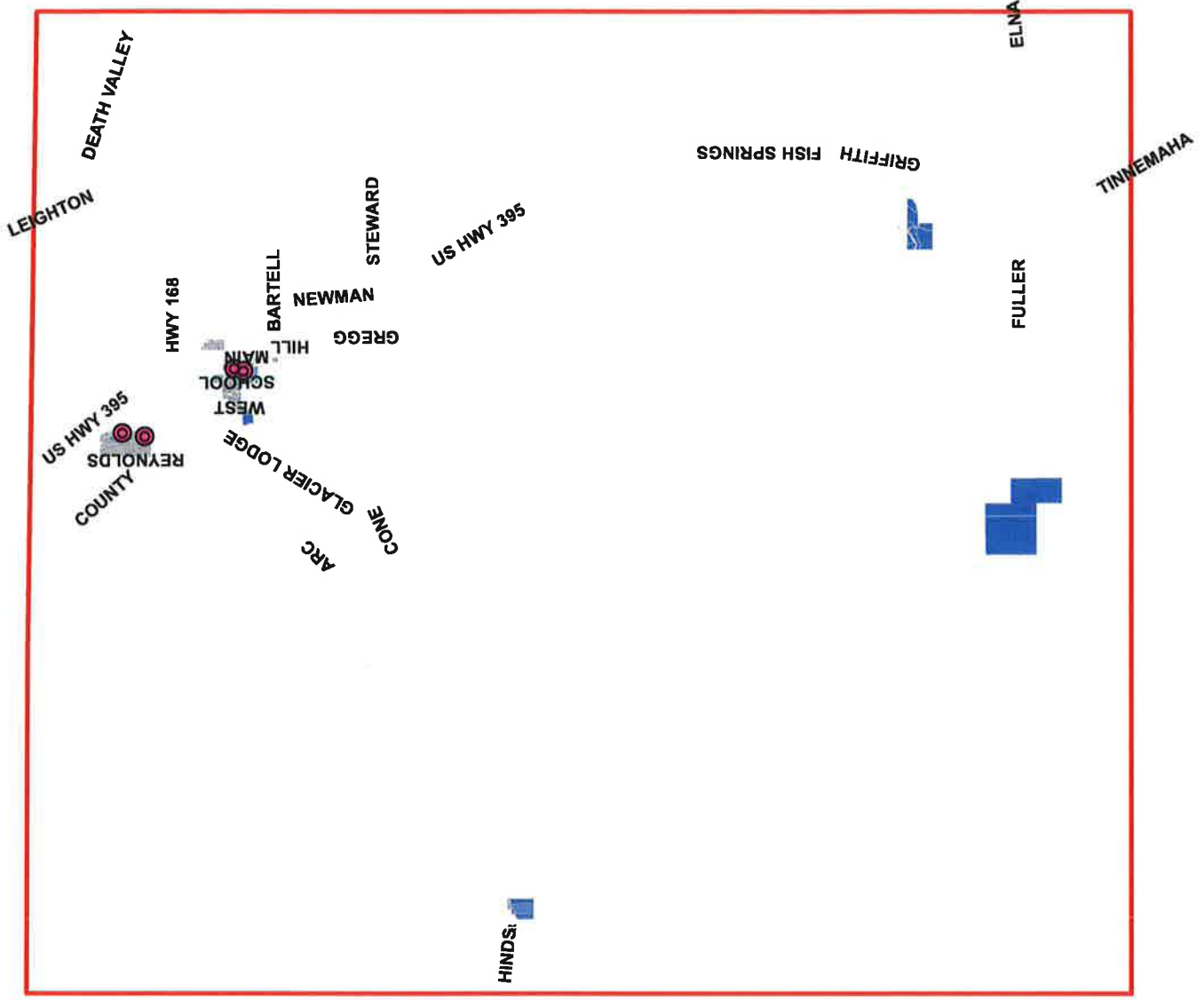
5-percent: 29 total permits, 6 current  
Allows 23 additional permits

3-percent: 17 total permits  
Allows 11 additional permits

2-percent: 11 total permits Allows 5  
additional permits

AVE A  
AVE C  
AVE E Charleston View  
FAITH  
ASTER  
BEARONA  
OLD SPANISH TRAIL

# Big Pine - Glacier - Birch Creek



- Caps**
- 5-percent: 30 total permits, 5 current**  
**Allows 25 additional permits**
- 3-percent: 18 total permits**  
**Allows 12 additional permits**
- 2-percent: 12 total permits**  
**Allows 7 additional permits**

# Dixon, Meadow Farms, Early Pond, Brockman

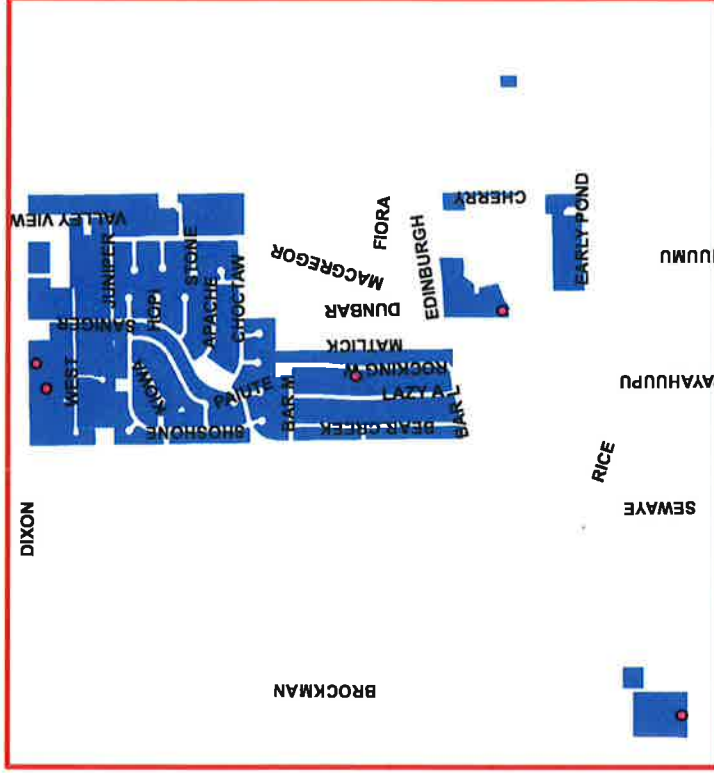
## Caps

5-percent: 31 total permits, 7 current  
 Allows 24 additional permits

3-percent: 18 total permits  
 Allows 11 additional

2-percent: 12 total permits  
 Allows 5 additional permits

RIVERSIDE



- Short Term Rental Permit Location
- Parcels with Units Counted

BIIRCH

FIVE BRIDGES

HWY 6

SIERRA

SEWAYE

RICE

WINUBA

PA HA

DIAZ

TU SU

SEE VEE

TIBEC

BARLOW

TABOOSE

PACU

PIONEER

KELSO

PIVOT  
ROME

COATS  
LEE  
CROSBY

HOME  
ELM  
KEOUGH

GROVE  
PINE  
FOWLER  
HAMMOND  
WARREN

WHITNEY  
SHORT

WILLOW  
SHORT

THIRD  
SHORT

PINE  
MAY  
HANBY

FIRST

MAC IVER  
YANEY  
BRUCE  
YANEY

WYE

SPRUCE

TOM

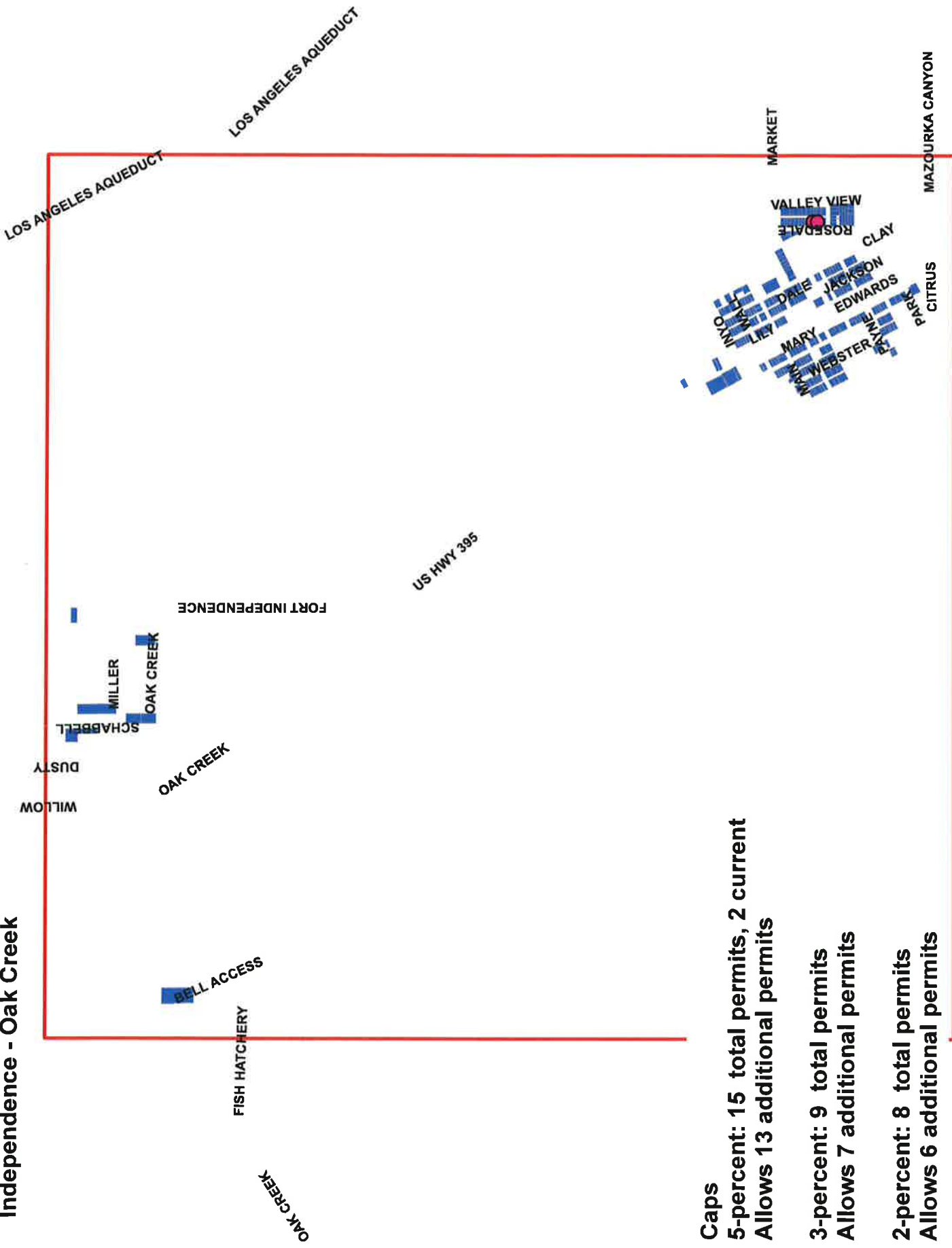
VISTA

LURING

BRANCH



# Independence - Oak Creek



- Caps**
- 5-percent: 15 total permits, 2 current**  
Allows 13 additional permits
- 3-percent: 9 total permits**  
Allows 7 additional permits
- 2-percent: 8 total permits**  
Allows 6 additional permits



**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS FIND THE PROPOSED PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE ZONE TEXT AMENDMENT NO. 2024-01 INYO COUNTY**

WHEREAS, the Inyo County Board of Supervisors, through Inyo County Code (ICC) Section 15.12.040, has designated the Planning Commission to serve as the Environmental Review Board pursuant to Section 15022 of the California Environmental Quality Act (CEQA) Guidelines, which is responsible for the environmental review of all County projects; and

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), the proposed ordinance is covered by the 15301 Class 1, Existing Facilities as Short-term Rentals are defined as a means to provide transient lodging in an existing residential dwelling unit in the One Family Residential, Rural Residential, Rural Residential-Starlite, Multiple Family 2-Units, and Open Space Zones, and will involve negligible or no expansion of an existing use; and

WHEREAS, the Inyo County Planning Commission held a public hearing February 28, 2024, to review and consider a request for approval of Zone Text Amendment No. 2024-01, and considered the staff report for the project and all oral and written comments regarding the proposal; and

WHEREAS, ICC Section 18.03.020 states in part that it is necessary for the Zoning ordinance and General Plan to be consistent with each other; and

WHEREAS, ZTA 2024-01 is consistent with the Inyo County General Plan as it will not result in higher densities than what is already established in the Inyo County General Plan; and

WHEREAS, ZTA 2024-01 is consistent with the Inyo County Zoning Code as it will not allow for new uses beyond what is already established in the Inyo County Zoning Code under the current Short-term Rental Ordinance, or residential zones.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that based on all of the written and oral comment and input received at the February 28, 2024, hearing, including the Planning Department Staff Report, the Planning Commission makes the following findings regarding the proposal and hereby recommends that the Board of Supervisors adopt the following findings for the proposed project:



**RECOMMENDED FINDINGS**

1. The This proposed ordinance is covered by CEQA Exemption Class 1 Existing Facilities (15301). Projects subsequent to this ordinance will be subject to CEQA Guidelines Section 15301 Existing Facilities Class 1, as Short-term Rentals are defined as a means to provide transient lodging in an existing residential dwelling unit in the One Family Residential, Rural Residential, Rural Residential-Starlite, Multiple Family 2-Units, and Open Space Zones, and will involve negligible or no expansion of an existing use. Proposals such as these fall into the Categorical Exemption Class 1 Existing Facilities (15301).
2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Goals and Policies of the Inyo County General Plan as it is consistent with all associated land use designations and policies set forth in the Land Use Element of the General Plan as the use will not increase the set densities on any land use designation or otherwise allow uses contrary to the Land Use Element. It also is consistent with Economic Development Goal ED-1 that states: *Promote increased capacity to serve tourists within the County's established urbanized areas, and in those areas with tourist attractions.*
3. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code as short-term rental activities are allowed pursuant to Chapter 18.73 of the Inyo County and the proposed changes will not expand or increase these already allowed uses.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors take the following actions:

**RECOMMENDED ACTIONS**

1. Approve ZTA 2024-01 based on all of the information in the public record and on the recommendation of the Planning Commission.
2. Certify that ZTA 2024-01 is Exempt from CEQA pursuant to 15061(b)(3) of the CEQA Guidelines.

PASSED AND ADOPTED this February 28, 2024, by the following vote of the Inyo County Planning Commission:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Todd Vogel, Chair  
Inyo County Planning Commission

ATTEST:  
Cathreen Richards, Planning Director

By \_\_\_\_\_  
Sally Faircloth, Secretary of the Commission

## ORDINANCE

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AMENDING INYO COUNTY CODE CHAPTER 18.73, SECTIONS 18.73.030, 18.73.040A, 18.73.070, 18.73.080 OF THE INYO COUNTY CODE.

**WHEREAS**, on February 20, 2018, the Inyo County Board of Supervisors adopted Ordinance 1224 allowing for the short-term rental (30-days or less) of residentially zoned property; and

**WHEREAS**, after two years of implementing the short-term rental of residential property ordinance, planning department staff reviewed short-term rental activities and presented them to the Inyo County Board of Supervisors; and

**WHEREAS**, on February 11, 2020, the Board requested that staff amend the ordinance to remove the non-hosted short-term rental permit and allow for non-hosted short-term rentals to be allowed in the multiple family two-units zone; and

**WHEREAS**, the Inyo County Board of Supervisors adopted Ordinance 1251 amending the short-term rental of residential property ordinance; and

**WHEREAS**, after another two years of implementing the short-term rental of residential property ordinance, planning department staff reviewed short-term rental activities and presented them to the Inyo County Board of Supervisors; and

**WHEREAS**, in the years between 2020-2022, Inyo County found that it has shortage of long-term rental opportunities; and

**WHEREAS**, on October 25, 2022, the Inyo County Board of Supervisors, as a policy decision, requested that planning department create short-term rental areas, and caps for those areas, to better manage the number of short-term rentals in the County to help remedy the long-term rental shortage; and

**WHEREAS**, on November 29, 2022, the Inyo County Board of Supervisors placed a 45-day moratorium on short-term rental permits; and

**WHEREAS**, on January 10, 2023 and again on November 7, 2023 the Inyo County Board of Supervisors extended the moratorium, which will expire on November 25, 2024, to give staff time to update the short-term rental ordinance pertaining to areas, caps, time limits, insurance, outside fires and enforcement; and

**WHEREAS**, staff prepared a draft ordinance reflecting the Board of Supervisors' request; and

**WHEREAS**, the Inyo County Planning Commission met to discuss the proposed changes to the ordinance with regard to consistency with Inyo County zoning code, General Plan and the California Environmental Quality Act; concurred with county staff recommendations; and approved a resolution recommending the Board adopt the updates.

NOW, THEREFORE, the Board of Supervisors, County of Inyo, ordains as follows:

**SECTION I.** Section 18.73.030 of the Inyo County Code is amended in its entirety to read as follows:

“18.73.030 General Requirements.

Short-term rentals may be permitted on properties zoned open space (OS); rural residential (RR); rural residential Starlite; one-family residential (R-1); and multiple residential two-units (R-2) subject to the following requirements and limitations.

A. Limitation on the number of short-term rental permits issued. The number of annual short-term rental permits issued by the county under this Chapter shall be limited by a number derived of 3-percent of available dwelling units per Area as follows:

1. Area 1 - North County shall be comprised of: All of T6S., R31E., T6S., R32E., & T6S., R33E., M.D.B.M. Except Sections 31, 32, 33, 34, 35, 36 in T6S., R31E., T6S., R32E., & T6S., R33E., M.D.B.M. Also except Sections 1, 12, 13, 24 & 25 in T6S., R33E., M.D.B.M.

5 permits.

2. Area 2 - Dixon, Meadow Creek, Early Pond, Brockman shall be comprised of: Sections 35 & 36 in T.6S., R32E., M.D.B.M. The northwest quarter of Section 2, and Lot 2 of the northwest quarter of the northeast quarter of Section 2, T.7S. R32E., M.D.B.M. Including the north half of the northeast quarter of the northwest quarter of Section 1, T7S., R32E., M.D.B.M.

18 permits.

3. Area 3 - McLaren\_Milovich\_Desiderata shall be comprised of: The southeast quarter of Section 3, T7S., R32E., M.D.B.M. including the east half of the southwest quarter of Section 3, T7S., R32E., M.D.B.M. The south half of Section 2 excluding the area east of Brockman Lane and south of West Line Street, T7S., R32E., M.D.B.M.

8 permits.

4. Area 4 - South of Line Street\_Poleta shall be comprised of: The north half including the north half of the south half of Sections 7, 8 & 9, T7S., R33E., M.D.B.M. The north half including the north half of the south half of Sections 8, 9, 10, 11 & 12, T7S., R32E., M.D.B.M. Except for the southeast quarter of Section 11, and the southwest quarter of Section 12, T7S., R32E., M.D.B.M.

11 permits.

5. Area 5 – Sunrise\_Sunset shall be comprised of: The southeast quarter of Section 11, and the southwest quarter of Section 12, T7S., R32E., M.D.B.M.

15 permits.

6. Area 6 – Starlite shall be comprised of: The south half of Section 23, including the south half of the north half of Section 23, T7S., R31E., M.D.B.M.  
2 permits.

7. Area 7 - Wilkerson\_Bisop Creek\_Chipmonk\_Rossi Hill shall be comprised of: The south half of the south half, Sections 19, 20, 21, 22, 23 & 24, T7S., R32E., M.D.B.M. The south half of the south half, Sections 19 & 20, T7S., R33E., M.D.B.M. The north half of Sections 25, 26, 27, 28, 29 & 30, T7S., R32E., M.D.B.M. Sections 29 & 32, the east half of Section 31, and Section 30 excluding the southwest quarter, T7S., R33E., M.D.B.M. Section 5, the east half of Section 6, the northeast quarter of Section 7 & the north half of Section 8, T8S., R33E., M.D.B.M.  
8 permits.

8. Area 8 – Aspendell\_Mountain View shall be comprised of: Sections 20, 21, 22, 27, 28 & 29 of T8S., R31E., M.D.B.M.  
5 permits.

9. Area 9 – Big Pine\_Glacier\_Birch Creek shall be comprised of: Sections 8 through 17, 20 through 29, 32 through 36 in T9S., R33E., M.D.B.M. Sections 7 through 10, 15 through 22, 27 through 34 in T9S., R34E., M.D.B.M. Sections 1, 2 & 3, 10 through 15, 22 through 27 in T10S., R33E., M.D.B.M. Sections 3 through 10, 15 through 22, 27 through 30, T10S., R34E., M.D.B.M.  
18 permits.

10. Area 10 – Independence\_Oak Creek shall be comprised of: Sections 7 & 18, T13S., R35E., M.D.B.M. West half of Sections 8 & 17, T13S., R35E., M.D.B.M. The south half of Section 6, and the south half of the west half of Section 5, T13S., R35E., M.D.B.M. The south half of Section 1, and the east half of the east half of the south half of Section 2, T13S., R34E., M.D.B.M.  
9 permits.

11. Area 11 – Lone Pine\_Alabama Hills\_Pangborn\_Granite View shall be comprised of: Sections 21 through 28, 33 through 36 of T15S., R35E., M.D.B.M. excluding the north half of the north half of Sections 21 through 24, T15S., R35E., M.D.B.M. Sections 19 through 22, 27 through 34 of T15S., R36E., M.D.B.M. excluding the north half of the north half of Sections 19 through 22, T15S., R36E., M.D.B.M. Sections 1 through 4 and Sections 9 through 16 of T16S., R35E., M.D.B.M. Sections 3 through 10 and Sections 15 through 18 of T16S., R36E., M.D.B.M.  
21 permits.

12. Area 12 – South\_South East County shall be comprised of: All of the area within the County of Inyo south of the described line: Beginning at a point on the County boundary along the north line of Section 26, T16S., R34E., M.D.B.M. Thence east to the northeast corner of Section 27, T16S., R36E., M.D.B.M. Thence north to the northwest corner of Section 14, T16S., R36E., M.D.B.M. Thence east to the northeast corner of Section 13, T16S., R36E., M.D.B.M. Thence north to the northwest corner of Section 6, T16S.,

R37E., M.D.B.M. Thence east to the northeast corner of T16S., R37E., M.D.B.M. Thence north to the northwest corner of T16S.,R38E., M.D.B.M. Thence east to the northeast corner of T16S., R41E., M.D.B.M. Thence south to the northwest corner of T16S., R42E., M.D.B.M. Thence east to the northeast corner of R16S., R43E., M.D.B.M. Thence north to the northwest corner of T16S., R44E., M.D.B.M. Thence east to the northeast corner of Section 1, T16S., R46E., M.D.B.M. Thence south to the northwest corner of Section 6, T28N., R1E., S.B.B.M. Thence east to the County boundary in the northeast corner of T28N., R3E., S.B.B.M.

17 permits.

2. The Inyo County Board of Supervisors, in its discretion, may at any time, determine by resolution, that the number of short-term permits allowed within each regional zone should stay the same, be reduced, or be expanded in order to protect neighborhood character and reduce adverse impacts or to provide economic benefit. Short term rental permits shall be issued on a first-come, first-served basis within the established caps limits outlined in subsection a above.

3. This section is only intended to create a maximum number of short-term rental permits that may be issued within the county. Nothing in this chapter creates a mandate that the county must issue any or all of the permits allowed under this chapter if it is determined that it is in the best interest of the county to issue less than the maximum number, or if the owners or the property do not meet the standards which are established in the application requirements.

4. An annual review of permits obtained after DATE will be conducted by the Planning Department to determine if the permits are being used. This will be a review of Transient Occupancy Tax (TOT) payments. If a short-term rental permit holder has not paid TOT for a full year without an apparent hardship, or verifiable reason, planning staff will consider it an unused permit and the permit will automatically be revoked upon mailed notice from the Planning Department.

B. No person shall undertake, maintain, authorize, aide, facilitate, or advertise any short-term rental activity that does not comply with the provisions of this code.

C. All short-term rentals shall be hosted rentals.

D. Each short-term rental shall have an owner or designated representative readily available to handle any questions or complaints during all short-term rental activities. Any change to the contact information for the owner or owner's designated representative shall immediately be provided in writing to the Inyo County planning department, to neighboring properties within three hundred feet of the short-term vacation rental, and on any postings required by this chapter.

E. Only two hosted rentals per parcel may be permitted, except in the R2 zone, where only one hosted rental per parcel may be permitted, and any such short-term rental in an R2 zone shall only be permitted in a dwelling unit that is concurrently occupied by a primary resident(s).

F. An owner shall only be eligible to maintain a permit(s) for short-term rentals on a maximum of one parcel of land.

- G. No more than five guestrooms per dwelling unit may be permitted for short-term rental activity.
- H. Issuance of a hosted short-term rental permit, pursuant to this chapter, is separately required for each dwelling unit in which a short-term rental will occur. Failure to obtain a hosted short-term rental permit prior to renting a residentially zoned property for thirty days or less shall be considered a violation of this chapter and subject to legal action and/or enforcement proceedings, including, but not limited to, an administrative penalty of no less than the dollar amount of the nightly rental rate of the property for each day the short-term rental is advertised and/or operated in violation of this chapter, or as permitted by Section 1.20.010 of this code, whichever is more, to the maximum extent allowed by the law.
- I. Short-term rentals shall not be permitted in dwelling units that are not compliant with applicable building and safety and/or environmental health requirements, or in non-habitable structures, tents, travel trailers, RVs, treehouses, yurts, or other provisions or structures not intended for primary occupancy.
- J. Only two renters are allowed per guestroom. This number does not include children three years and under.
- K. A maximum of one vehicle per guestroom shall be allowed, and the owner shall provide off-street parking for all such allowed vehicles, that the renter(s) shall utilize. The owner shall ensure that the parking limitations are included in short-term rental agreements and in all related advertisements.
- L. Outdoor amplified sound is prohibited.
- M. Quiet hours shall be from nine p.m. to seven a.m. The host shall ensure that the quiet hours are included in rental agreements and in all advertisements.
- N. Pets, if allowed by owner, shall be secured on the property at all times. Continual barking or other nuisances created by unattended pets are prohibited.
- O. Trash bins and recycling storage containers shall be required for all permitted short-term rentals and such bins and containers shall not be stored within public view.
- P. Outdoor fires are prohibited anywhere on the property during short-term rental stays.
- Q. Short-term rental activity is subject to, and the owner shall comply with, Inyo County Code Chapter 3.20, Transient Occupancy Tax. The owner shall include the transient occupancy tax registration certificate number on all short-term rental agreements, and in any related advertisements.

R. An address sign compliant with Chapter 18.75, the county's sign ordinance, with a clearly legible, from the street, address number shall be included on each short-term rental. (Ord. 1290 § 20, 2022; Ord. 1251 § 3, 2020; Ord. 1224 § 1, 2018.)

S. Any short-term rental permit issued pursuant to this chapter (DATE) is a three-year permit based on a review pursuant to 18.73.060. .

SECTION II. Section 18.73.040 of the Inyo County Code is amended to add Subsection 18.78.040 A.11 as follows:

“18.73.040 A.11 Proof of insurance applicable to short term rental activities on the dwelling in which short-term rentals are permitted.

SECTION III. Chapter 18.73 of the Inyo County Code is amended to add Section 18.73.060 as follows:

“18.73.060 Renewal Process.

A. Any short-term rental permit is a three-year permit, subject to, but not guaranteed, a renewal(s). Except for those permits revoked in accordance with other provisions of this chapter, short-term rental permits shall automatically expire three-years after their issuance, plus the time to conduct a renewal review, unless the Planning Director issues a notice of permit renewal. The renewal review period shall begin [insert month] during the third year of the permit. A short-term rental permit may be renewed in accordance with this section.

B. An application for renewal of a short-term rental permit shall be filed with the planning director in the manner prescribed by the director, at least 45 calendar days before expiration of the permit, along with any applicable renewal fee. If any of the documentation and information supplied by the property owner pursuant to chapter 18.73.040 has changed since the issuance of the first permit, the owner shall submit updated information and documentation with the application for renewal and shall provide any other information the planning director may require. If the owner fails to timely submit the renewal application, any additional information and all associated fees, the short-term rental permit may not be timely renewed, and operations shall be suspended unless/until the renewal is approved.

C. If the renewal application is incomplete, or if the planning director determines that additional information is required, the director will send notice to the owner in accordance with section 18.73.040(B) listing the items or information to be provided. The owner shall have 15 business days from the postmark or, if the applicant consents to email notice, email date of the notice to submit the listed items. If the owner fails to timely provide the items or information listed in a notice, then the renewal application will be denied as incomplete.

D. Upon the time filing of a renewal application and of any missing or supplemental information under section C above, the short-term rentals under the existing permit may continue operating until the director has made a final determination on the application, unless the permit is otherwise revoked or suspended pursuant to this chapter.



E. A permit shall be renewed by the director upon determination that the short-term rental meets the standards for grant of the application under chapters 18.73.030 and 18.73.040 and none of the conditions for denial set forth below are present:

Grounds for Denial:

1. The maximum number of short-term rental permits allowed pursuant to section 18.73.030(A) has been reached at the time the application has been deemed complete by the planning director. This includes a maximum number that has been adjusted by the Board during the term of the short-term rental permit.
2. Any of the circumstances outlined in section 18.73.070(A)(3).
3. The short-term rental has had more than three verifiable violation complaints.
4. The building or property where the short-term rental is located has active violations to any State or County code.
- 5.

F. The planning director shall specify in writing the reason(s) for any denial of the renewal and shall send the written decision to the permittee in accordance with section 18.73.040(B) with an explanation that the decision shall become final in ten calendar days of the postmark or, if the applicant consents to email notice, email date of the decision. unless the owner submits a completed appeal form to the department requesting a hearing, within ten calendar days of the postmarked or emailed decision.

SECTION IV. Section 18.73.070 of the Inyo County Code is amended in its entirety to read as follows:

“18.73.070 Permit Modification and Revocation.

A. The planning director may initiate proceedings to revoke or modify a short-term rental permit as follows:

1. Basis for Initiation. The planning director shall have the sole authority to determine if the violation(s) or complaint(s) stemming from a short-term rental are severe enough to merit the initiation of modification or revocation proceedings. There is no minimum number of complaints or violations that must occur before the Planning Director may begin modification or revocation proceedings. A single violation or complaint, if deemed to be serious enough, may be the basis for modification or revocation proceedings.
2. Notice and Hearing. Upon determination by the Planning Director to begin proceedings under this section, the Planning Director shall schedule a hearing before the Planning Commission. A notice of the hearing shall be mailed via first class US mail to the owner at the address provided in the short-term rental application. The notice shall specify the reason(s) for the modification or revocation and the term(s) of the short-term rental permit that the operator has violated. The notice shall also designate a time and place for the hearing before the Planning Commission. The hearing shall occur no sooner than fifteen and no later than forty-five calendar days following the mailing date of the notice.
  - i. Parties may, at their election, consent in writing to receipt of documents via email.
3. Conduct of Hearing

- i. Both parties shall be provided the opportunity to present oral evidence at the hearing via direct and cross examination.
- ii. Parties are encouraged to submit to the Planning Commission written briefing summarizing their arguments and evidence prior to the hearing. Any party who provides briefing or evidence to the Planning Commission prior to the hearing must also simultaneously serve such documents on the other party to the hearing. Written briefing or evidence must be submitted 48 hours prior to the hearing.
- iii. Failure to appear at the hearing shall constitute a waiver of any objections or claims advanced by either party.
- iv. The Planning Director shall bear the burden of proving by a preponderance of the evidence that the short-term rental has been operated in violation of the permit.
- v. The rules of evidence shall not apply to the hearing; provided, however, that the Chair of the Planning Commission may refuse to receive any evidence if its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.
- vi. All parties to the hearing may be represented by an attorney.
- vii. At the conclusion of the hearing, the Planning Commission shall vote on the issue of revocation. The decision shall be based on a majority of the Commissioners who are present. Should the Planning Commission vote to revoke the short-term rental permit, the Planning Commission shall make one or more of the following findings:
  1. The approval of the short-term rental permit was obtained by fraud or through the provision of false information;
  2. The short-term rental activity has been or is being conducted in violation of this chapter or other applicable law;
  3. The conditions of approval have been or are being violated;
  4. The short-term rental activity is occurring in a manner that constitutes a public nuisance as defined in Section 22.08.010 of this Code;
  5. Ownership of more than one parcel on which short-term rentals are permitted, non-payment of property taxes for the parcel on which the short-term rental is located, or non-payment of Transient Occupancy Tax shall in itself be an automatic revocation of all of the owner's short-term rental permit(s).
4. Notice of Decision. A written notice of the Planning Commission's decision shall be prepared and mailed to the owner at the address specified in the application for approval within 30 business days of the close of the hearing. The notice shall contain a statement of the basis for the decision and the facts upon which the decision was made as well as a statement directing the owner to immediately cease using the property for short-term rentals, and that failure to cease such use may be subject to further legal action and/or enforcement proceedings, including, but not limited to, an administrative penalty of no less than the dollar amount of the nightly rental rate of the property for each day the short-term rental is advertised and/or operated in violation of this chapter, or as permitted by Section 1.20.010 of this code, whichever is more, to the maximum extent allowed by law.
5. Award of monetary penalties. The Planning Director may request that the Planning Commission impose financial penalties on the operator of the short-term rental. If the Planning Director requests financial penalties, the Notice of Hearing shall include a statement to that effect and the Planning Director shall provide to the operator all evidence on which he or she will base the request and the precise amount sought at least 5 business days prior to the hearing. Any

penalties awarded by the Planning Commission shall not exceed \$5,000. For each subsequent permit revocation for the same operator, the maximum possible penalty shall increase by \$5,000.

B. **Warning Letters.** The planning director or his or her designee may, in lieu of commencing formal revocation proceedings, send the operator of the short-term rental a warning letter informing the operator of any complaints or violations pertaining to the short-term rental and demanding immediate correction. The planning director is not obligated to send any warning letters prior to commencing revocation proceedings. The planning director shall have sole discretion to determine whether a complaint or violation merits a warning letter or the initiation of formal modification / revocation proceedings.

**SECTION V.** Section 18.73.080 of the Inyo County Code is amended in its entirety to read as follows:

“18.73.080 **Violation and Complaint.**

Nuisance complaints regarding short-term rental activity on a parcel permitted pursuant to this chapter will generally be directed to the owner or owner’s designated representative identified in the short-term rental permit and the house rules posted on site and sent to property owners within 300-feet of the short-term rental. The owner, or designated representative of short-term rentals shall be responsible for contacting the tenant to correct the problem, including visiting the site if necessary, to ensure that the issue is been corrected. The owner or owner’s designated representative must provide a written report to the Inyo County Planning Department within three-days of being informed of the complaint. This report must detail the actions that the operator took to respond to the complaint and the changes, procedures, or rules that the operator has implemented to ensure that complaints of a similar nature do not arise again. Failure to respond to complaints or provide the required written report to the Planning Department shall be considered a violation of this section, and shall be subject to the provisions of 18.73.070.

**SECTION VI.** **Severability**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this ordinance would be subsequently declared invalid or unconstitutional.

**SECTION VII.** **Effective date.**

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption thereof, a summary of this Ordinance shall be published once in a newspaper of general circulation printed and published in the County of Inyo, State of California in accordance with Government Code Section 25124(b). The Clerk

of the Board is hereby instructed and ordered to so publish a summary of this Ordinance together with the names of the Board voting for and against same.

**PASSED AND ADOPTED** this XXXX by the following vote of the Inyo County Board of Supervisors:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Chairperson

ATTEST:     Nate Greenberg  
                  Clerk to the Board

By: \_\_\_\_\_  
      Darcy Ellis, Assistant



**Planning Department  
168 North Edwards Street  
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Independence, California 93526**

**Phone: (760) 878-0263  
FAX: (760) 872-2712  
E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)**

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**AGENDA ITEM NO.:** 7 (Informational)

**PLANNING COMMISSION  
MEETING DATE:** February 28, 2024

**SUBJECT:** Inyo County 2023 General Plan Annual  
Progress Report and General Plan and  
Housing Element overviews

#### **EXECUTIVE SUMMARY**

Staff has prepared the County's 2023 General Plan Annual Progress Report (Attached) which includes the Housing Element Implementation Report (Attached). This report is required to be presented to local legislative bodies prior to being submitted to the State. Along with this, staff will provide a review of what a General Plan is and how it is used by local governments (Attached).

#### **PROJECT INFORMATION**

**Supervisory District:** County-wide

**Recommended Action:** **Receive a presentation from staff regarding the Inyo County General Plan, Housing Element and the 2023 Annual Progress Report**

**Alternatives:** 1.) Do not receive a presentation from staff regarding the Inyo County 2023 General Plan or Annual Progress Report

**Project Planner:** Cathreen Richards, Planning director

#### **BACKGROUND**

Government Code Section 65400 requires that local agencies prepare a General Plan Annual Progress Report (APR). The purpose of the document is to report on the County's progress in implementing its General Plan. The document is being provided to the Planning

Commission and Board of Supervisors for their review. Subsequently, it will be submitted to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

### **STAFF ANALYSIS**

The General Plan is the County's constitution and guiding vision. Upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many projects and strives to include the public in the decision-making process. The County's General Plan and Amendments can be found at: <https://www.inyocounty.us/services/planning-department/inyo-county-general-plan>

The County provided leadership and participated in many planning activities in 2023 as identified in the attached report. It continued its building permit and project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures. During 2023, the County reviewed more building permits for housing units (27) than it had in the past 10-years. It also granted 10 Certificates of Occupancy for housing units in 2023. The County also revised its adopted 6<sup>th</sup> and Cycle Housing Element Update, and it was certified by the State Department of Housing and Community Development in October 2023. The 2021 Revised Housing Element can be found at the above link under 2021 Housing Element Update.

### **ENVIRONMENTAL REVIEW**

The APR is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306.

### **RECOMMENDATIONS**

Provide comments on the draft APR.

### **ATTACHMENTS**

- Draft Inyo County 2022 Draft General Plan Annual Progress Report
- 2021 Revised Housing Element, Implementation Report
- What is a General Plan?

Attachment – 2023 General Plan Progress Report

# **General Plan Annual Progress Report 2023**

County of Inyo



**Prepared by the Inyo County Planning Department**



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Appendix A Government Code Section 65400

Appendix B Housing and Community Development Department Annual Element Progress Report Forms

## **Introduction**

This report has been prepared pursuant to the requirements of Government Code Section 65400. Guidance for preparation of the report is provided by the Governor's Office of Planning and Research (OPR).

The purpose of the document is to report on Inyo County's progress in implementing its General Plan. The document will be provided to the Planning Commission and Board of Supervisors for their review and submitted to the Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

## **Background**

The County adopted a comprehensive update to the General Plan on December 11, 2001, and has amended the Plan on several occasions since. The planning process for the update took over four years, many public hearings and meetings, and substantial effort on the part of staff, the Board of Supervisors, the Planning Commission, local organizations and interest groups, and the general public.

The Plan replaced, reformatted, and/or updated a number of older General Plan Elements and other planning documents that had been adopted over the years. In addition to the many working documents, staff reports, and outreach materials, the Plan resulted in the following major documents that are utilized on a day-to-basis in the County's planning processes:

- General Plan Summary
- Background Report
- Goals and Policies Report
- Land Use and Circulation Diagrams
- Environmental Impact Report (EIR)

The Inyo County General Plan received awards of excellence from local chapters of the American Planning Association in 2001. The policy document and diagrams are available on the Planning Department's website at the following link:  
<https://www.inyocounty.us/sites/default/files/202002/GP%20Goals%20and%20Policy%20Report%2012.2001.pdf>

## **Informational Document**

This document is a reporting document, and does not create or alter policy. The content is provided for informational purposes only, and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306.

## **Organization**

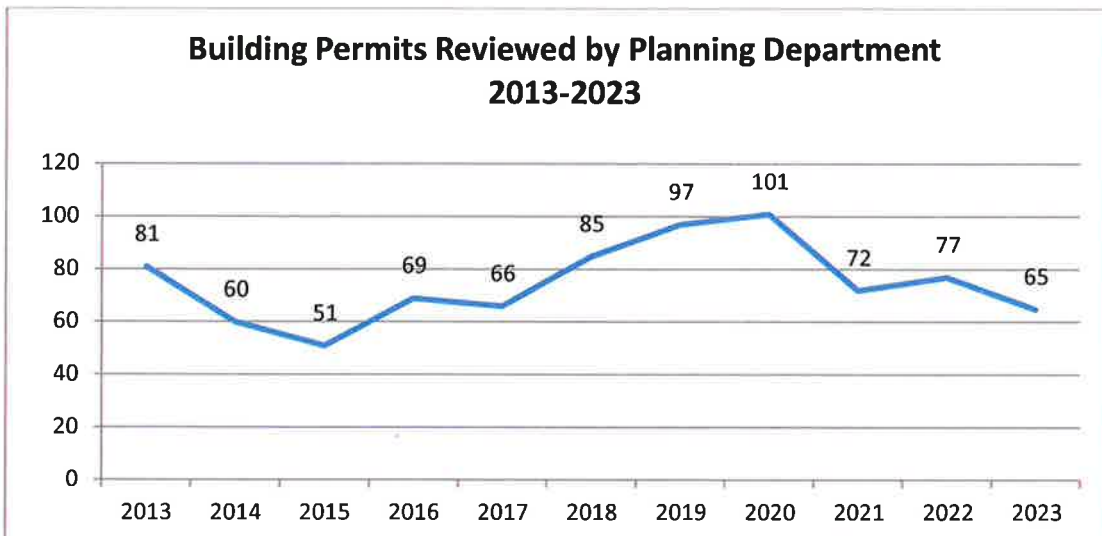
After this introduction, a summary of projects and issues addressed over the last year is provided, and then each General Plan element is addressed. Following these topics, the County's planned General Plan and Zoning Ordinance update are addressed. Appendix A includes Government Code Section 65400. Appendix B includes the HCD reporting forms.

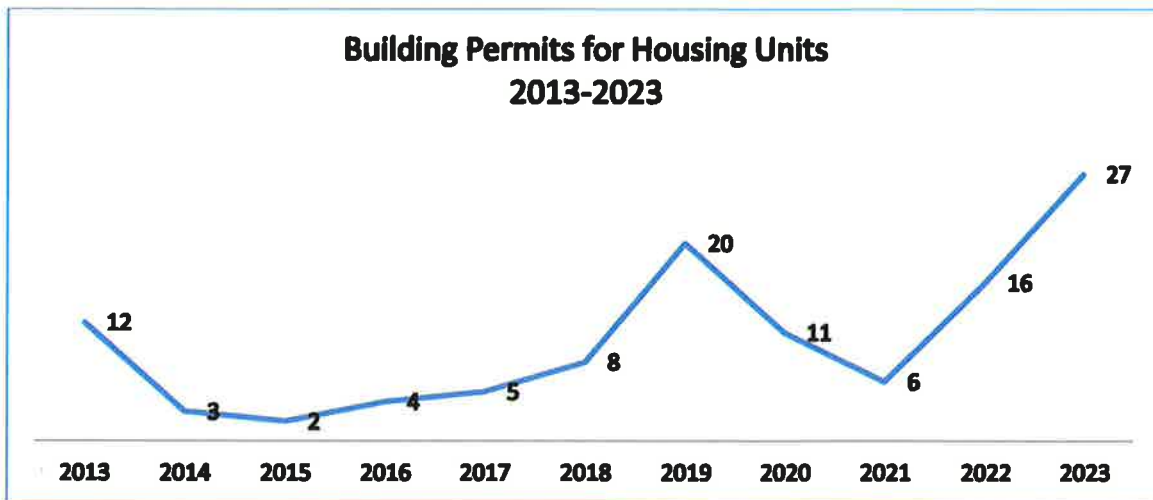
## II. Plans, Projects, and Accomplishments

During 2023 the County processed numerous projects and participated in a variety of planning programs. The following summaries provide a brief overview of these projects and programs and are not intended to be exhaustive.

### Building Permits

Four-Hundred and Ninety-Four total building permits were received by the Building and Safety Department in 2023. Sixty-five of these were reviewed by the Planning Department for zoning consistency issues. This is twelve less than were reviewed in 2022. Twenty-seven of these permits were for new housing units, 11 more than in 2022. This is the most permits the County has had for housing units in many years. Building permits were applied for 9 new single-family homes (5 more than in 2022), and 8 new manufactured homes (5 more than 2022) and 10 accessory dwelling units (ADU) (1 more than 2022). Eight of the ADU applications were for conversions or additions to garages for ADUs. There were also twenty-seven employee housing units, applied for under three of the manufactured home permits, 23 were for units at Furnace Creek and 4 were for units on DWP land located along Gorge Road. Nine Certificates of Occupancy (completed projects) were reported to have been granted by the Building and Safety Department in 2023 for residential projects. Six were for single family homes and 3 were for manufactured homes.





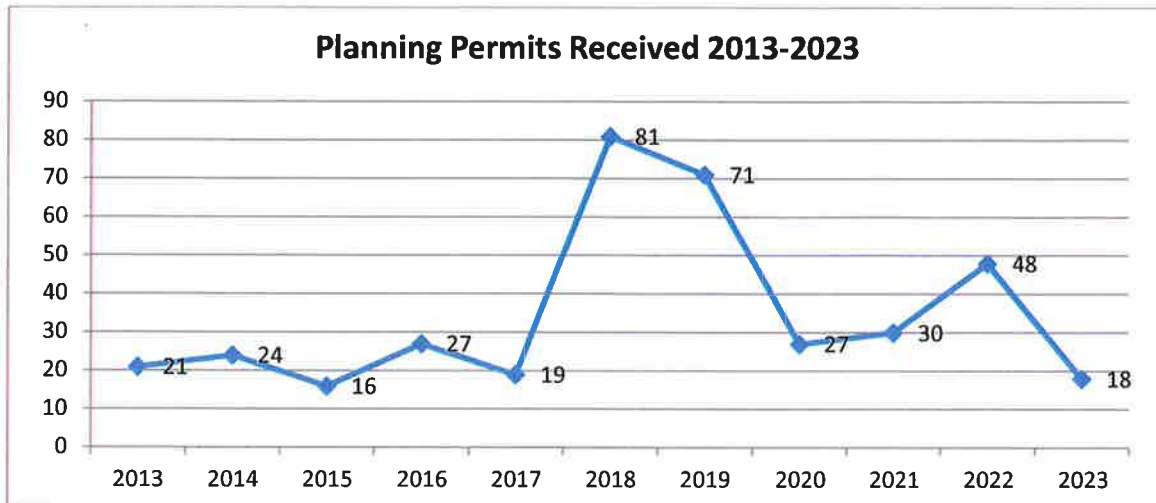
### Planning Permits

The Planning Department also processed a variety of landuse permits during 2023, including conditional use permits (CUP), variances, subdivisions, and associated environmental reviews. The breakdown in applications received is as follows:

- 7 Conditional Use Permits
- 3 General Plan Amendment
- 1 Zoning Reclassification
- 1 Zone Text Amendments
- 3 Renewable Energy Permits (solar)
- 2 Reclamation Plan updates
- 1 Appeal

During the past year, the Planning Commission agendas included the following application types:

- 1 Zone Reclassification
- 2 General Plan Amendments
- 1 Conditional Use Permit Amendment
- 2 Mining Reclamation Plan Amendments
- 2 Renewable Energy Permits
- 1 Appeal of Revocation – Hosted Short-term Rental Permit



Of the projects reviewed by the Planning Commission, 3 projects were also presented to the Board of Supervisors. Thirty less applications were received by the Planning Department in 2023 than were in 2022 (48 in 2022 and 18 in 2023). This is quite a decline in the short term, however, there have been years with similarly low numbers in the past. Staff expects that this decline is temporary (some of it relates to the moratorium on short-term rentals) and the numbers will go back up. Several larger projects, with longer time commitments, have also been underway including several that are required by the newly updated Housing Element, including but not limited to code changes related to SB-9 subdivision and multiple units, updates to the Density Bonus ordinance, and the addition of an Environmental Justice Element to the General Plan.

**Projects Reviewed by the Planning Commission During 2023**

The following applications were reviewed by the Planning Commission and/or Board of Supervisors during the past year:

**GENERAL PLAN AMENDMENT (GPA) -2023-01/INYO COUNTY – VACANT LANDS AND HOUSING OPPORTUNITY AND ZONE RECLASSIFICATION (ZR)- 2023-01/INYO COUNTY – VACANT LANDS AND HOUSING OPPORTUNITY –**

With the help of a consultant, HELIX Environmental Planning Inc., a vacant lands inventory and a zoning and General Plan review of properties located in the County was conducted. This information was used to identify parcels land that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density. Eight total parcels were selected: three in the Bishop area, one in Independence and four in Lone Pine. They were then evaluated under the California Environmental Quality Act (CEQA) and were recommended for General Plan and zoning designation changes. This project was not recommended by the Planning Commission and was not approved as presented to the Board of Supervisors.

**GENERAL PLAN AMENDMENT 2023-02/HOUSING ELEMENT REVISED -** Staff prepared a revision to the 2021 adopted Housing Element, which removed and replaced two of the Regional Housing Allocation Number (RHNA) site parcels. This revision was required for the

County to maintain compliance with State Housing Law as the two replaced parcels required zone changes that were not approved. The revised Housing Element was adopted by the Board of Supervisors and subsequently certified by the Department of Housing and Community Development.

**AMENDMENT TO CONDITIONAL USE PERMIT 1994-2 BROWN'S SUPPLY; RECLAMATION PLAN 1994-2 BROWN'S SUPPLY-** The applicant applied to amend Conditional Use Permit (CUP) 1994-2 and Reclamation Plan (REC) 1994-2, proposing to remove the east pit of 4.97 acres within the existing mining boundary and update both the CUP and REC to restrict future mining operation to the west pit and add storage of foreign materials not generated on site. The reduction in mining boundary and the additional storage made this update necessary per Surface Mining and Reclamation Act (SMARA) and the County code.

**AMENDMENT TO RECLAMATION PLAN 1997-6 INDEPENDENCE MS#118 CALIFORNIA DEPARTMENT OF TRANSPORTATION-** The applicant applied for an amendment to Reclamation Plan 97-6 with permission from the Bureau of Land Management (BLM). The California Department of Transportation proposed a minor revision of the condition of approval #20, abandoning the well, in the approved plan at the Independence Pit MS #118.

**RENEWABLE ENERGY PERMIT-2022-01/BARKER** – The applicant applied for a Renewable Energy Permit located on one parcel (APN: 038-330-46), in Trona, California. This permit would allow the applicant to construct a proposed 1.2 megawatt (MW) photovoltaic solar facility that uses approximately 2,300 single axis tracker solar panels. The project encompasses 5-acres of pre-disturbed land.

**RENEWABLE ENERGY PERMIT 2022-02/BARKER**– The applicant, applied for a Renewable Energy Permit located on three parcels (038-330-32, 33, 34), in Trona California. This permit would allow the applicant to construct a proposed 3 megawatt (MW) photovoltaic solar facility that uses approximately 6,000 single axis tracker solar panels. The project encompasses 15-acres of pre-disturbed land.

**APPEAL 2023-01 REVOCATION OF HOSTED SHORT-TERM RENTAL PERMIT 2021-06/COLLINS.** The appellant submitted an appeal of the Planning Director decision to revoke Short-term Rental Permit #2021-06/Collins. This decision was appealed to the Planning Commission, per ICC Section 18.73.070. Staff recommended denial of the appeal.

### **Other Plans and Projects**

The following discussion summarizes other projects which the County expended substantial efforts in 2023.

#### ***State Model Water Efficiency Land Landscape Ordinance***

The State's Model Water Efficient Landscape Ordinance (MWELO) become effective to Inyo County in 1993 and currently applies to the County by default since the County has not adopted the State's MWELO or a local ordinance. MWELO applies to new, rehabilitated, and existing landscaping with the purpose of conserving water through approved landscape design and landscape construction/installation approval. The creation and effectiveness of MWELO to the

County is derived from various statutes and legislative actions to include: Assembly Bill (AB) 325 (Clute, 1990); California Code of Regulations Title 23, Division 2, Chapter 2.7; AB 2717 (Laird, 2004); AB 1881 (Laird, 2006); Government Code 65595(c)(1) (2007); Executive Order NO. B-29-15 (2015); Senate Bill 1383 (Lara, 2016); and 14 CCR section 18989.2 (2020). Although the State's MWELo applies the County by default, pursuant to 14 CCR section 18989.2 the County is required to adopt an ordinance involving compliance with MWELo California Code of Regulations Title 23, Division 2, Chapter 2.7 sections 492.6(a)(3)(B), (C), (D), and (G) as amended on September 2015. The County began annual reporting in 2015. In 2022 the County began researching the requirements of MWELo and in 2023 began reviewing landscape applications under the State's MWELo requirements. Also, in 2023 the County began drafting a local Water Landscape Efficient Ordinance (WELo) that incorporates the State's MWELo but provides additional provisions for enforcement and penalties making the County's WELo more restrictive than the State's MWELo. The draft ordinance is scheduled for a Planning Commission hearing in February 2024 and if recommendation for approval is received the ordinance will then be scheduled for Board of Supervisor approval in April 2024.

### ***Senate Bill 9***

#### **Senate Bill 9 (SB9) Two-Unit Development and/or Urban Lot Split**

SB9 was signed by Governor Newsom on September 16, 2021 and became effective January 1, 2022 requiring ministerial approval of two-unit developments and urban lot splits within specific single-family residential zones if certain requirements are met. In 2022 the County began reviewing the requirements of SB9 and identifying the single-family residential zoned areas in which SB9 can apply pursuant to the 2020 U.S. Census determined urbanized area within Inyo County. The County then began drafting two separate ordinances to meet the requirements of SB9. One draft ordinance is for applications associated with two-unit developments meeting the SB9 requirements and will be incorporated into the County's zoning ordinance under Title 18. The second draft ordinance is for applications associated with urban lot splits meeting the SB9 requirements and will be incorporated into Title 17 – Subdivisions of the County Code. Both draft ordinances are scheduled for Planning Commission hearing in March 2024, and if a recommendation for approval is received the ordinance will then be scheduled for request of approval by the Board of Supervisors in May 2024.

### ***Environmental Justice Element***

The County began preliminary work on the proposed Environment Justice Element of the General Plan in 2022 to meet the requirements set out by the Department of Housing and Community Development when certifying the County's sixth cycle of the Housing Element Update. The creation of the Environment Justice Element required a considerable amount of time and effort as it involved incorporating goals, policies and implementations found in other areas of the General Plan, and creating goals, policies and implementations relevant to the objectives and goals mandated for the Environmental Justice Element. A draft was finalized in the Fall of 2023 and notice to the tribes about the proposed Environmental Justice Element adoption into the General Plan and the opportunity to request consultation were sent via certified mail on November 15, 2023 as required pursuant to Senate Bill 18. The deadline for tribal requests for consultation is February 13, 2024. Following any requests for consultation received by a tribe the County plans to take the Environmental Justice Element to Planning Commission in the summer of 2024 and if recommended for approval by the Planning Commission, the Environmental Justice Element will

be presented to the Board of Supervisors for approval in the Fall of 2024.

### ***2021 Housing Element Update***

The County's General Plan Housing Element was due for an update in 2021. The County began preliminary work on the update during the fall of 2020. This included securing a Local Early Action Planning (LEAP) grant from the State. The County expended a tremendous amount of time and effort in updating its Housing Element to meet all of the new requirements. With virtually no help, or guidance from HCD (besides references to statutes), the County addressed the new legislation and struggled through the required new Affirmatively Furthering Fair Housing (AFFH) section. Once substantive comments and edits were received from HCD the Update was completed and approved in August 2022. When two RHNA sites that were identified in the Housing Element were not approved for zone changes, planning staff had to find new parcels and revise the adopted Housing Element. This was completed, re-adopted and finally recertified by the state in October 2023

### ***Zoning Code/General Plan Update Housing Element***

Once the Housing Element Update was completed, updates to County's Zoning Code were made to begin implementing the changes set forth in the General Plan Update. This included adding multi-family housing as a by right use in the County's Central Business Zone and eliminating the requirement for a Conditional Use Permit for multi-family housing with over 15-units. Staff continues to work on zoning code updates related to the Housing Element Update including SB2 and Density Bonus ordinances.

### ***Senate Bill 2 (SB-2) Planning Grant for Affordable Housing***

SB2 was adopted by the State Legislature in 2017 to provide a permanent source of funding to help local jurisdictions provide affordable housing. In 2019, funding was directed at planning assistance that helps to achieve affordable housing goals. The grant funding was allocated by an "over the counter" non-competitive means to all eligible jurisdictions in the State. The county submitted an application for this funding. Since Inyo County is considered a 'small county' with regard to the SB2 funding allocations, the award was \$160,000. The County secured the SB2 grant and a contractor and began working on the project in fall 2020. The contractor and County identified parcels in the County that may be appropriate for re-designating for higher density residential use and the Draft Ad Min EIR was prepared and went through a 45-day review and comment period. This project went to the Planning Commission for a hearing in March 2023. The Planning Commission did not provide a recommendation to the Board. The item went to Board of Supervisor's for a hearing in May 2023 and was not adopted as presented by staff.

### ***Short-term Rentals***

In 2006 the County determined that short-term vacation rentals are not permitted within the Residential Zoning Districts. The County began to investigate if this decision should be revisited, and if so, how it might proceed. During 2016, the Board conducted several workshops, and directed staff to begin public outreach. Public workshops were conducted in 2017 and Draft regulations were prepared. In February 2018 an ordinance was approved by the Board of Supervisors allowing for the short term rental of residential properties with proper permitting. The County began approving permits for short term rentals in April 2018. During 2019 staff reviewed the successes and issues related to short-term rental permitting. The results of this review were presented to the



Board of Supervisors, along with suggestions to update the short-term rental ordinance at 3 workshops. Based on public input and recommendations from the Board, updates to the short-term rental ordinance were prepared by staff and subsequently adopted by the Board. These changes included removing the availability of non-hosted short-term rental permits. Currently the short-term rental ordinance is being reviewed again for possible changes. In late 2022, the Board of Supervisors put a moratorium on short-term rentals in the County. This was extended twice to end in November 2024. Currently, staff is preparing a new ordinance for the Boards approval in Spring 2024.

### ***Cannabis***

In 2016, California voters enacted Proposition 64, which permits and regulates recreational use of marijuana in California. Several statutes to regulate medical marijuana were passed in the 2015 legislative session – Assembly Bill (AB) 266 (Bonta, 2015), AB 243 (Wood, 2015), and Senate Bill (SB) 643 (McGuire, 2015) – becoming effective January 1, 2016. The County also included Advisory Ballot Measures G, H, and I in the 2016 election: Measure G inquired whether the voters support medical commercial cannabis businesses, H inquired whether the voters support recreational cannabis businesses, and I was for a tax on cannabis businesses. All three measures were decided in favor cannabis businesses and taxation. The County continues to monitor implementation of the legislation. The County worked throughout 2017 on cannabis regulations and adopted them in January 2018. In December 2018 the first Cannabis Business Licenses were awarded in Inyo County and subsequent CUPs began being processed in 2019 and have continued through 2023.

### ***Dark Skies – Lighting***

In the 2002 update of the County’s General Plan a policy relating to lighting was include, under the Conservation and Open Space Element - Visual Resources 1.6 Control of Light and Glare. It states: *The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and which are fully shielded. Where public safety would not be compromised, the County shall encourage the use of low-pressure sodium lighting for all outdoor light fixtures.* This policy was never implemented through the zoning code as language was never included in the County’s zoning code for it. Due to interest from the community and members of the Board of Supervisors, County staff began a process to evaluate a possible lighting ordinance for the County. Three public outreach meetings and two Board workshops were held on the subject in 2018. The project continued into 2020, but with minimal attention due to Covid and lack of staff. This project was picked back up in 2021 and a Draft Ordinance has been completed. A recommendation from the Planning Commission was obtained and the Board approved it in April 2022. This program was implemented and monitored during 2023.

### ***Community Plans for Charleston View/Tecopa***

Based on interest from local residents, the County embarked on preparation of Community Plans for Tecopa and Charleston View in Southeast Inyo County in 2015. Public meetings were conducted in both Charleston View and Tecopa in 2016 to kick-off the project and vision the Plan. In addition, background reports were developed for each planning area. Work continued on the plans in 2017 with visioning work. In December 2018 Draft Community Plans were presented to

the communities of Charleston View and Tecopa. The Plans were well received with a few suggestions for minor changes. The County continued to try to identify and pursue grants for environmental analysis and implementation of the Plans during 2023.

***Olancha Cartago Corridor Study*** – The County was awarded a Caltrans Sustainable Communities Grant to study a section of U.S. 395 that is currently planned to be bypassed as part of the Caltrans US 395 Olancha-Cartago four lane project. The Olancha Bypass Corridor Study (OBCS) will include both 1) a portion of US 395 from the current intersection of SR 190 northward to just past Cartago that is proposed to be relinquished to the County and 2) the portion of US 395 from the current intersection with SR 190 south to the southern end of the bypass that will become part of SR 190. Work began on the study in 2018 that included the first public outreach meeting. This project continued through and was completed in 2019. The county has continued to research grants and various programs to implement the opportunities identified in the Study.

#### ***West-wide Energy Corridors***

This project, approved in 2009, involves numerous federal agencies led by the BLM. Pursuant to a settlement agreement, the federal agencies are conducting reviews of the approved corridors. In 2016, a Corridor Study and regional reviews were released. The County provided input regarding the Region 1 Review and continues to monitor the program. In 2019, the Region 5 Review took place. The county provided numerous comments on Region 5 as it spans the length of Inyo County along the I-395 corridor. The Region 5 review continued into 2020 and the County participated in stakeholder meetings and providing comments. At the end of 2020 the Draft Report was released. The County has prepared draft comments and sent them to the Agencies in early 2021. The County will continue to monitor and comment on the Regional Reports as they go through the process to adoption.

#### ***Haiwee Geothermal Leasing Area (HGLA)***

A DEIS for the HGLA was submitted by the BLM for comments beginning in 2009 (Notice of Intent) through 2012 (DEIS). It evaluated five alternatives to address the potential environmental impacts of opening approximately 22,805-acres of BLM managed federal mineral estate for geothermal energy exploration and development and leasing and for three individual leasing proposals covering approximately 4,460-acres of federal mineral estate for geothermal energy testing and development. A supplement to the DEIS and proposed amendment to the CDCA Plan, was released in 2019. It was been prepared primarily to update both documents to be consistent with changes to landuse designations and resource management strategies based on the Desert Renewable Energy Conservation Plan (DRECP). The total area under review (22,805-acres) and proposed leases (4,460-acres) are exactly the same as what was previously evaluated. The County reviewed the supplemental document with regard to comments it sent in 2009 and 2012 and sent additional comments in 2019. The County continued to monitor possible implementation of the DEIS in 2023.

#### ***Owens Valley and Haiwee Pump-back Storage Projects***

During 2019, Premium Energy Holding LLC applied to the Federal Energy Regulatory Commission (FERC) for preliminary permits to study hydro-electric pump back storage projects for the North Owens Valley, and Haiwee dam areas. A preliminary permit is issued for up to four years. It does not authorize construction, but it maintains priority of an application for license while

the applicant studies the site and prepares to apply for a license. The applicant is required to submit periodic reports on the status of its studies. The preliminary permit it is not necessary to apply for or receive a license. Many comments have been submitted regarding these applications. The Owens Valley proposal does not appear to be moving forward and Haiwee is. The County continued to monitor this proposal in 2020, 2021, 2022, 2023 and will continue to do so in 2024 and provide comments at each opportunity.

### ***Mining***

Pursuant to the Surface Mining and Land Reclamation Act (SMARA), the County continued its oversight activities to encourage production and conservation of mineral resources while minimizing associated environmental impacts. Staff has continued to amend County policy as the impacts of changes to SMARA that were approved by the California Legislature and Governor in 2016 are continuing to be implemented. Staff is responsible for the inspection and administration of reclamation policy for approximately 79 SMARA mines. Staff has noted a continuation from last year of a general increase in activity at many of the County's local surface mines during 2019. The increase in mining activities in 2019 and 2020 continued into 2021 through 2023. Also during 2023, many of the mines that were behind in fee payments were brought into compliance.

### ***Brownfields Grant***

In 2011 Inyo County entered into a Memorandum of Understanding (MOU) with Nye, Esmeralda, Lincoln, and White Pine counties of Nevada for the Environmental Protection Agency Brownfields Coalition Assessment Grant to conduct environmental site assessments and area-wide planning in support of renewable energy, transmission, and economic development in the vicinity of identified Brownfields sites. A subsequent grant was obtained, and the Coalition was expanded to include Esmeralda County. In 2018 the Duckwater Shoshone Tribe joined the Coalition. The County continued to participate in the Coalition during 2018. A site that was reviewed under a Brownfield grant funded Phase I environmental assessment in 2016 and a Phase II environmental assessment in 2017 was able to be successfully developed into a Grocery Outlet store with plans for the remainder of the property to be developed into the Inyo County consolidated office building. Also in 2018, a revolving loan and fund grant, applied for in 2017, was awarded to the coalition. The coalition completed updates to its website and to the Area Wide Plan. The county continued to participate in the Brownfields program during 2023.

### ***Yucca Mountain Repository Assessment Office***

Funding for development of the Yucca Mountain Repository was terminated by the Obama Administration, consequently eliminating the funding to all Affected Units of Local Government. Staff continues to monitor litigation and other activities. In 2016, the County reviewed and provided input regarding the Final Supplemental EIS for groundwater, which largely responded to the County's previous input. The County has continued through 2023 to support groundwater monitoring in its southeast area to provide data for the project and monitor the Yucca Mountain program.

### ***Desert Renewable Energy Conservation Plan (DRECP)***

The DRECP covers the Mojave and Colorado deserts to provide binding, long-term endangered species permit assurances and facilitate renewable energy project review and approvals. The DRECP planning area includes portions of Inyo County: roughly in the Owens Valley to just north of Independence, the Panamint Valley, Death Valley, and other southeast portions of the County.

The County has been participating in the project since the late 2000s, which was to have been a General Conservation Plan/Natural Communities Conservation Plan. In 2014, a phased approach was taken to the DRECP whereby the Bureau of Land Management's (BLM) Proposed Land Use Plan Amendment was separated out from the NCCP component. The Final EIS and Proposed Decision were released in late 2015, which the County protested. The County approved a Programmatic Agreement regarding cultural resources related to the Plan in early 2016, and reviewed BLM's recirculation of the Areas of Environmental Concern from the draft DRECP. The Record of Decision was issued later in 2016, which dismissed the County's protest and implemented the BLM's DRECP components. In early 2017 the BLM published a Segregation Notice for mineral entry on California Desert National Conservation Land. The County provided comments on this action and continues to monitor DRECP activities. In February 2018 a Presidential Executive Order was noticed in the Federal Register instructing the BLM to begin a scoping process for possible amendments to the DRECP. The notice specifically requested comments on how land designations identified in the DRECP might affect the ability to develop solar, wind or other renewable energy resources. The County evaluated and provided comments to the BLM regarding this request. The county continued to monitor DRECP activities through 2023 and the BLM is now looking at updating its renewable energy plans possibly including the DRECP.

#### ***Tribal Consultation Policy***

In response to input from the Big Pine Tribe, the County developed a draft Tribal Consultation Policy to guide its consultation efforts under Senate Bill 18 (Burton, 2004) and Assembly Bill 52 (Gatto, 2014). The County shared the draft Policy with local Tribes and conducted multiple workshops in 2015 and 2016. The County approved the Policy in late 2016, and invited the Tribes to consult regarding development of Tribe-specific agreements. The County continues to work with the Tribes on establishing good communications and possible Tribal-specific agreements.

#### ***Coso Hay Ranch Water Export Project***

The County approved a project in 2009 that pumps water from the Hay Ranch in the Rose Valley to the Coso Geothermal plants at China Lake Air Weapons Naval Station. The County continued to monitor pumping activities in 2023.

#### ***North Sierra Highway Corridor/Specific Plan***

In 2015, Caltrans selected the County and the City of Bishop for a grant to prepare a Corridor Plan for North Sierra Highway (generally between the Tri-County Fairgrounds and the Bishop Paiute Palace on the north side of Bishop) in 2015. The County, City of Bishop, and the Bishop Paiute Tribe worked with other interested parties in the Corridor to expand the scope of work to a Specific Plan, and the Eastern Sierra Transit Authority pledged to provide financial support to assist doing so. In 2016, the County and its partners selected a consultant to assist in the planning process and convened an Advisory Committee to assist with coordination between the many participating agencies. Preliminary outreach commenced, existing conditions were assessed, and a visioning was initiated. A Charrette was conducted to brainstorm ideas for the Plan, and a draft Plan is anticipated in 2017. The Corridor Plan was completed in 2017. The specific plan has not been completed and staff will continue to look for grants to fund its completion. During 2022 the plan was consulted with to help Cal Trans with the Meadow Farms ADA project as the project area is within the North Sierra Highway Plan area. The county continues to monitor and help Cal Trans implement the ADA project.

### ***DWP Solar Ranch***

The County is monitoring DWP's Solar Ranch proposal in the Southern Owens Valley, which intends to develop approximately 200 megawatts of photovoltaic. DWP issued a Notice of Preparation for the project in 2010, and the two locations and in 2013, DWP decided to develop a third site, located south of Independence. The County provided input regarding the Draft EIR for the project in 2013, and continues to monitor for any progress.

### ***Zoning Code/General Plan Update***

The County adopted a comprehensive General Plan update in 2001. One of the follow-up actions directed in the 2001 General Plan was to update the Zoning Code, which is a component of the Inyo County Code. Staff worked with Wildan in 2011 to prepare updated Zoning Code sections and incorporated the Planning Commission's and Board of Supervisors' input into a comprehensive Zoning Code update and prepared a related General Plan update. Staff received direction from the Board regarding several issues related to the update in 2014, including code enforcement, Digital 395, and special event permits. Environmental review is still waiting for a funding source.

### ***Endangered Species Coordination***

The County has been monitoring the US Fish and Wildlife Service's and the California Fish and Wildlife's endangered species listing work program. Most recently this included proposals for listing of the Western Joshua Tree, which also received special protections from state legislation.

### ***Eastern Sierra Small Business Resource Center (SBRC)***

While the buildout of the Eastern Sierra Small Business Resource Center has gone more slowly than expected, construction is currently underway and all plans are still in place for the future of the SBRC. The Sierra Business Council is currently recruiting for a Director of the Eastern Sierra Small Business Resource Center, whose role will be to arrange for training, technical assistance, mentorship programs, access to capital, and other supports and services for small businesses and entrepreneurs in the Eastern Sierra. In 2023, the SBRC held one event, which was a workshop for employers and a job fair, attended by about 40 people. We expect buildout to be complete and the Sierra Business Council to take possession of the building and begin staffing in Spring or Summer 2024.

### ***Lone Pine Housing Efforts***

The County of Inyo successfully purchased .5 acres of land in Lone Pine, California, for the purpose of incentivizing the development of housing. The land was declared surplus by the Inyo County Board of Supervisors in early 2023 and was listed as a surplus property as required by the state Surplus Lands Act. No affordable housing developer took possession of the property, so the County is currently in the process of seeking a broker with experience recruiting multi-family housing developers to help market the property. Up to 8 units may be possible on the parcel. The County continues to seek opportunities to leverage private land for the creation of new housing, while working with LADWP to identify opportunities for future land divestment.

### ***Permanent Local Housing Allocation (PLHA)***

Inyo County received an award of \$490,685 through the Permanent Local Housing Allocation. Beginning in early 2024, Inyo County in partnership with Mammoth Lakes Housing will offer a

low-interest loan program for low-to-moderate income homeowners in need of repairs on their single family homes, or mobile homes set on a permanent foundation, and owners of multi-family rental properties where at least half of tenants are low income households under 60% AMI; and low interest loans for the development of ADUs and JADUs for long-term rental, with up to 20% of the loan forgivable if the homeowner can show that the ADU has been rented for at least 5 years to a tenant with income under 60% AMI and 30% of the loan forgivable if the ADU was rented for at least 5 years to a tenant with income under 30% AMI.

#### ***Accessory Dwelling Unit (ADU) Prototypes Program***

Inyo County hired Design Path Studios, an architectural firm from Encinitas, CA to develop 12 ADU and single-family home full design sets ranging in size from 306 square feet to 1500 square feet. These pre-approved architectural designs will reduce the cost of housing and ADU development and streamline the permitting process for homeowners that choose to use them. Initial design sets were presented and approved by the Board of Supervisors, final designs should be in place by March 2024 at the latest.

#### ***Silver Peaks***

In Partnership with Visionary Home Builders and Mammoth Lakes Housing, Inyo County helped to develop and submit an application for HCD's MHP Super NOFA for approximately \$19 million to build a 72 unit affordable housing apartment complex in Bishop. The MHP application for our region was not funded for the third time. Visionary Home Builders is now looking at alternative financing options.

#### ***Comprehensive Economic Development Strategy CEDS***

Inyo County, Mono County and Alpine County successfully completed the Eastern Sierra region's first ever Comprehensive Economic Development Strategy (CEDS) in October, 2023. The region's CEDS was submitted to and accepted by the Economic Development Administration (EDA) and will allow the region to become eligible for federal funding for economic development projects.

#### ***Inyo County Visitor Website Updates***

In 2023, Inyo County continued to build on the much-lauded and highly visited tourism-aimed website: [www.inyocountyvisitor.com](http://www.inyocountyvisitor.com). This website provides information for visitors on the many quaint small towns throughout the County and generally showcases many of the County's superlatives and scenic wonders, including: Mt. Whitney, the highest peak in the contiguous United States; Badwater Basin in Death Valley National Park, the lowest point in the Western Hemisphere; the oldest living thing in the Ancient Bristlecone Pine Forest; and the unique geological formations of the Alabama Hills, which has been designated as a National Scenic Area. The site includes information on Leave No Trace principles, stunning video and photography from our snow-capped mountains to rippling sand dunes, and also serves double duty as the County's Film Commission online resource, providing information on permitting, popular filming locations, local rules and regulations, and contact information for local businesses and experts who can provide services to film crews.

#### ***Building a Strong Film Commission***

In 2023, Inyo County renewed its contract with a new Film Commissioner, who has made great strides in making critical film industry contacts and working with local agencies, as well as the

USFS, BLM, and Los Angeles Department of Water and Power, on a streamlined permitting process. The Film Commissioner is also busy building up the aforementioned Film Commission section of [www.inyocountyvisitor.com](http://www.inyocountyvisitor.com), with the plan to move the content – which now includes photo libraries, a list of local businesses and professionals, permitting information, and even a feature to add yourself to a list of available “extras” in Inyo County – to its own domain. In addition to promoting and advertising Inyo County as a premier film destination, the Film Commissioner also represents Inyo County on the Film Liaisons in California Statewide (FLICS) board of directors. Inquiries from film, TV, and photography productions are growing in frequency as a result of these various efforts.

#### ***2024 Regional Transportation Improvement Program (RTIP)***

This project involves the development and selection of transportation projects that are then programmed in specific amounts and program years for the next five-year funding cycle. The development of this program requires local and regional coordination and is based on State Transportation Improvement Program (STIP) funding. STIP funding has been on the decline statewide. The Inyo County STIP shares are modestly out of the negative this 2024 cycle (\$2.742 million) after many years due to Inyo County’s long-term commitment to improve the safety along the Eastern Sierra corridor, along with its MOU partners, Kern COG, and Mono County. This 2024 cycle, Inyo County is requesting Kern COG to repay a large portion of its RTIP funds to Inyo County, which were fronted by Inyo during the 2016 STIP cycle for Freeman Gulch Phase 1. The repayment would pay for the Lone Pine Town Streets Rehabilitation Project. Inyo’s 2024 RTIP was approved by the Inyo County Local Transportation Commission (ICLTC) in November 2023 and was submitted for inclusion in the Statewide Transportation Improvement Program (STIP). The 2024 RTIP advances towards construction the East Line St. Bridge Project using 2022 COVID Relief STIP funds. The 2024 RTIP provides a partial match to the Federal Lands Access Program grant to reconstruct State Line Road near Death Valley Junction. The statewide STIP (incorporating regions’ RTIP’s) will be considered for final approval by the California Transportation Commission in March 2024.

#### ***State Line Road Rehabilitation Federal Lands Access Program (FLAP) Grant***

This \$22 million dollar project was approved by the Federal Highway Administration on December 14, 2022. The project will rehabilitate and widen State Line Road from Death Valley Junction to the State Line. State Line Road will be widened to 28 feet with 12-foot-wide travel lanes and two 2-foot-wide paved shoulders. Signage, striping and safety-related features will be included. The County, in partnership with the Federal Highway Administration, will complete a review of this project under the California Environmental Quality Act and the National Environmental Policy Act. This roadway experiences heavy traffic volumes and is a popular route to Death Valley. The project will improve access to Death Valley National Park, Ash Meadows National Wildlife Refuge, and Bureau of Land Management Lands. The project adjoins another FLAP project on Bell Vista Road in Nevada, which is slated for construction in 2025. State Line Road construction funding is preliminarily programmed for fiscal year 2028.

#### ***Regional Transportation Plan (RTP)***

This planning document involves the development and selection of transportation projects that are then eligible to be programmed in specific amounts and program years in the Regional Transportation Improvement Program. The ICLTC recently updated its RTP in November 2023.

The RTP is intended to be a fiscally constrained planning document for a twenty-year period. The Inyo RTP is updated every four years. The development of this plan requires local and regional coordination. Any road construction and transportation infrastructure beyond basic repair and maintenance within the next four years should be included in this document.

### ***Inyo County Active Transportation Plan***

Inyo County, with a consultant, drafted an Active Transportation Program (ATP) Plan and held public outreach meetings. The 2015 ATP was released for public review and comment and then approved by the Inyo County Local Transportation Commission in April 2016. The 2015 ATP Plan includes:

1. Bicycle Element – an update of the 2009 Inyo County Collaborative Bikeways Plan;
2. Pedestrian Element – this describes existing facilities, examines past accident records, estimates the current number of pedestrians, lists and prioritizes potential projects, and identify funding sources;
3. Recreation Trails Element – this identifies areas where there are deficiencies in motorized and non-motorized recreational trails, lists and prioritizes potential projects, estimates the number of users for a given trail segment, and describes how the projects provide for the viewing of points of interest; and
4. Safe Routes to School Element – this section creates Safe Routes to Schools maps for all areas in Inyo County and updates the Safe Routes to School maps for schools inside the City of Bishop.

The Inyo County LTC is in the process of updating its Active Transportation Plan and anticipates completion in February 2024. An Active Transportation Plan or its equivalent is a requirement to submit application for ATP grant funds. In 2018 Inyo County submitted applications for several competitive ATP Cycle 4, 2019 Grants. One of the three submissions was successful. The California Transportation Commission awarded funding for the “Lone Pine Sidewalk Construction and ADA Improvement Project.” During the 2022 ATP grant cycle, the City of Bishop applied, but was not successful. The 2022 ATP grant program was ten times over-subscribed and highly competitive. Inyo County LTC staff are focusing on the Tecopa area for Cycle 7 project in 2024.

### ***Eastern Sierra ATV Adventure Trails System Project***

The County certified an EIR for this project in early 2015, which included potentially up to 38 combined-use routes on County roads for Off-highway vehicles. The Board approved seven of the routes for a pilot program, three of which opened in the summer of 2015. The County reached an agreement with the City of Los Angeles Department of Water and Power (DWP) to open the remaining four routes in December 2016. The pilot program is designed to test the extension of combined use routes from the existing law’s three-mile limit to a longer ten-mile limit. An update hearing before the Board of Supervisors was held in December 2023 and a final report was sent to the California Legislature as required by the law. The pilot program will expire on January 1, 2025.

### ***Local Road Safety Plan (LRSP)***

An LRSP provides a framework for organizing stakeholders to identify, analyze, and prioritize roadway safety improvements on local and rural roads. The process of developing an LRSP can be tailored to local protocols, needs, and issues. The Local Transportation Commission (LTC) prepared a LRSP in 2022 with the assistance of LSC Transportation Consultants, Inc. The



Highway Safety Improvement Plan (HSIP) grants require a LRSP as a pre-condition. The 2022 LRSP identified several areas with higher-than-average crash rates in Inyo County, including Trona Wildrose in the Slate Range, Old Spanish Trail over Emigrant Pass, and East Line Street.

#### ***Highway Safety Improvement Plan (HSIP)***

Highway Safety Improvement funds are awarded based on crash experience, crash potential, crash rate, or other data-supported means. In 2020, Inyo County Public Works received an HSIP grant to add fog-line and centerline striping at various locations throughout southern Inyo County. This striping work is complete. Public Works won another HSIP grant in 2021 to replace the Onion Valley Road guardrail. This work is nearly complete. In 2023, the ICLTC won an HSIP grant to add flashing beacons, curve warnings, and a high surface friction treatment to Old Spanish Trail Highway, over Emigrant Pass. This area has a higher than usual crash rate.

#### ***Water Meter Replacement Grant***

Inyo County Public Works Water Systems accepted a grant from the Eastern California Water Association. The project will replace existing meters with automatic electronic read meters and allow County staff to ensure that all service connections are metered. This effort will provide for the accurate measurement of individual water usage and ultimately a better understanding of the communities' gross water demands which will assist with water conservation strategies and mitigating overage charges from LADWP.

#### ***Storm Damage & Run-off Repairs / Whitney Portal Road Repair & Replacement***

Hurricane Hilary and historic high snow pack levels in the Sierra led to excessive run-off events and resulted in significant road damage in 2023. Twenty-four roads were closed while others with significant damage remained open and passable. The most major damage was to approximately one mile of lower Whitney Portal Road. The damage was so extensive that the Federal Highways Central Lands Division has agreed to take over the re-design and re-construction project. The goal is to re-build and re-open the road by July 2024. The other roads have all been re-opened and are pending FEMA and CalOES re-imbusement.

#### ***Lone Pine ADA Sidewalk Project***

This ADA retrofit project, funded by a Caltrans Active Transportation Program grant, will build, repair or replace sidewalks connecting the downtown Lone Pine business district, Post Office and Senior Center to the elementary school, churches, low income housing complex and the hospital. The contract has been awarded and construction should occur in 2024.

#### ***Courthouse HVAC***

This project is currently out to bid and is proposed to be completed in 2024. The goal is to add energy efficient heating and cooling to the historic Inyo County Courthouse and remove the window unit air conditioners.

#### ***New Animal Shelter Building***

This project is under contract to provide a new 1,600 sq. ft. animal shelter building as an addition to the existing complex.

### ***Jail Administration Remodel***

This project is almost 100% complete. The project's principle goal was to repair and replace portions of the jail facility that had been severely damaged by water intrusion.

### ***Inyo-Mono Integrated Regional Water Management Program (IRWMP)***

The ICWD participates in this collaborative body made up of public, private, and not-for-profit entities. MOU signatories include Inyo and Mono counties, the Town of Mammoth Lakes, the City of Bishop, tribes, water districts, wastewater providers, and community-based non-profits. The group consists of about 34 voting members. The mission of the Inyo Mono Regional Water Management Group (RWMG) is to "To research, identify, prioritize, and act on regional water issues, and related social and economic issues, so as to protect and enhance our environment and economy." A Phase II Inyo Mono IRWM Plan was completed in 2012, which was revised in 2014 and again in 2019.

To date, the Inyo-Mono IRWM Program has raised more than \$7.75 million to support water infrastructure and ecosystem stewardship projects, provide technical assistance and project development services to small water systems, and engage disadvantaged communities throughout the region. Most recently, the Inyo-Mono IRWM Program was awarded \$2.762 million through Proposition 1 for nine projects, five of which are in Inyo County. Public Works will receive \$558,000 to replace water meters in Laws, Independence, and Lone Pine. In addition, Mono County will receive funding to build a groundwater model for the Tri-Valley, which is a project delineated in the Owens Valley Groundwater Sustainability Plan. The Inyo County Water Department will act in a project management capacity on this project.

The long-term outlook for the IRWM Program is uncertain at this time. Once the Prop 1 funding is exhausted, there will be no more IRWM-specific funding available from the State. The RWMG is investigating other possible funding mechanisms to continue the Program.

### ***Inyo/Los Angeles Long Term Water Agreement***

The Inyo/Los Angeles Long Term Water Agreement (Agreement) is settlement to CEQA litigation between the County and Los Angeles concerning the operation of Los Angeles's second aqueduct. The Agreement requires Los Angeles to manage surface water and groundwater so as to avoid any significant adverse impacts that cannot be acceptably mitigated and to provide a reliable supply of water for Inyo and Los Angeles. Activities conducted by the County and Los Angeles include annual planning of water management activities, implementation and monitoring of mitigation projects, monitoring of habitat and hydrologic conditions, and evaluation of current conditions relative to the Agreement's goals.

Specific activities undertaken in 2024 included continued monitoring of vegetation and hydrologic conditions, monitoring of mitigation projects, and a continuation of the implementation of an interim plan for management of Blackrock Waterfowl Management Area. Given the very wet conditions in 2023, staff was challenged in completing the annual monitoring requirements but also had the opportunity to observe some unprecedented changes to the landscape. A new program for monitoring springs was undertaken, wherein springs mitigation projects are compared to "reference" springs unaffected by groundwater pumping. Lastly, the Type-D study of willow and cottonwood recruitment and establishment in riparian areas of the Owens Valley continued.

### ***Mitigation Projects***

The Water Department plays a crucial role in overseeing the progress of LADWP's environmental and mitigation projects in the Owens Valley. These projects are described in the 1991 EIR regarding LADWP's groundwater pumping in the Owens Valley, the 1996 MOU, and subsequent documents prepared and approved by the Inyo/LADWP Technical Group. If mitigation goals are not being met, or projects are not being managed as stipulated, or simply not being implemented, the ICWD works with the LADWP and MOU parties to either help implement or modify the project. The full list of these projects and their current status, as well as other useful information, can be found on ICWD's mitigation webpage. Access the ICWD mitigation webpage here: [www.inyowater.org/mitigation](http://www.inyowater.org/mitigation).

In 2022, an interactive online map of all mitigation projects was developed by the ICWD. This map offers a comprehensive overview of all Owens Valley mitigation projects tied to the Long-Term Water Agreement, Stipulations and Orders, and subsequent initiatives.

Serving as a complement to the Mitigation Status Table, the map is a valuable resource for both newcomers and those familiar with the projects. Users can explore the geographic distribution, view project site photos, and easily find specific projects through filters. Clicking on a project's centroid point provides detailed information, including origin, impact, status, and available water delivery details. An Additional Information library offers downloadable files related to the project. Access to the mitigation maps can be found here:

<https://experience.arcgis.com/experience/44b652a16c4b443b9b4a2e7dc3fcbb91/>

In 2023, LADWP notified the County that several revegetation projects identified in the 1991 EIR had achieved project goals, and they considered the projects complete. However, the County disagreed. We pointed out that while plant cover, and species composition goals might have been met, LADWP had not evaluated plant sustainability, a requirement under the 1999 Revegetation Plan (available on the ICWD Mitigation webpage).

Additionally, LADWP asserted they had achieved a milestone at their irrigated Type-E Transfer Revegetation sites, stating that the parcels had attained plant cover and species composition goals, and that they had ceased irrigation. However, ICWD has expressed concerns about the long-term sustainability of plants at these sites. We have recommended additional monitoring beyond what is specified in the original site mitigation plan. Ongoing conversations between ICWD and LADWP regarding revegetation are in progress.

Other mitigation work includes investigating the feasibility of moving the ponds portion of the McNally Ponds and Native Pasture Project from the McNally Canal, where the water supply is both unreliable and/or prone to creating drawdown impacts, to an area just below Farmers Pond, where a more reliable source of water might be available, and the pond environment more favorable to waterfowl.

Also, new studies, conducted by ICWD, are underway to investigate the condition of mitigation projects that have as their goal, providing spring, seep, and riparian habitats. These studies will allow comparisons between natural spring and riparian ecosystems to those created at the

mitigation sites. This is an on-going research effort that will be reported as data is analyzed, and reports developed.

### ***Lower Owens River Project (LORP)***

The LORP is a compensatory mitigation project under the Long-Term Water Agreement with the Los Angeles Department of Water and Power (LADWP). The project was established to offset impacts that are difficult to quantify or mitigate directly. After 15 years, the LORP is partially meeting its goals which are, the establishment of a healthy, functioning Lower Owens River riverine-riparian ecosystem, and the establishment of healthy functioning ecosystems in the other elements of the LORP, for the benefit of biodiversity and threatened and endangered species, while providing for the continuation of sustainable uses including recreation, livestock grazing, agriculture, and other activities. To assess its progress, refer to the 2022 LORP Annual Report.

Access the LORP annual report here:

<https://www.inyowater.org/wpcontent/uploads/2023/09/2022-FINAL-LORP-ANNUAL-REPORT.pdf>

The LORP has resulted in the significant greening of river-riparian areas since 2006, but the prediction that riparian woodland would increase, given the prescribed flow regime, turned out to be incorrect. The absence of certain bird species, which use riparian trees for habitat and serve as indicators of project success has been noted.

To address this issue, the Water Department has started a tree recruitment study, now in its fourth year. The study aims to document past recruitment patterns and inform future adaptive management actions that might encourage natural recruitment.

In the LORP, bulrush and cattails have filled in wetlands, ponds, and the river, and have greatly diminished the amount of open water in the project area. This has had the effect of limiting recreational access, causing encroaching upon ranch pasture, filling in waterfowl ponds, and occupying land where tree willow might otherwise establish. Conversations between the County, LADWP, MOU parties, and outside parties, about how to consider and treat water emergent vegetation are on-going.

In the river, the combination of warm water and high flows, which stir up accumulated organic material, can cause a decrease in dissolved oxygen. On numerous occasions this situation has led to fish kills.

The very high flows and flooding in 2023 degraded water quality. As a result, a large die-off of the warmwater fishery was expected but this was not the case. Although very low dissolved oxygen levels were recorded, dead fish were only observed in the off-river lakes and ponds. To mitigate a potential fish die-off, ICWD, in collaboration with CDFW and LADWP, installed aerators in several locations within the LORP, in an effort to provide refugia for fish.

With the extreme flow and flood events in 2023, there is concern that noxious and invasive weeds will proliferate in the LORP and become a more significant management issue. Surveys for noxious weeds conducted in August 2018 after the last extreme runoff event, revealed a significant

increase in populations and geographic spread of the noxious and invasive weed *Lepidium latifolium* (perennial pepperweed). It is likely that pepperweed populations will once again expand in 2024, following a similar to the pattern observed in 2018.

Relatedly, it is likely that *Tamarix ramosissima* (saltcedar) will rebound in water spreading basins, in the Blackrock Waterfowl Area, along the river, and in adjacent Off-river Lakes and Ponds. With years of significant effort, these areas had been practically cleared of saltcedar.

ICWD will continue monitoring for invasive plant species and work in collaboration with the Inyo/Mono Agricultural Department to control the spread of weeds in the LORP.

ICWD continues to take part in the management of the Delta Habitat Interim Plan, which was a management response informed by the 2019 LORP evaluation. Under the plan, flows into the Delta Habitat Area are reduced during the growing season—this to limit the growth of emergent vegetation and improve habitat for waterfowl. Additional adaptive management in the Delta is being considered, including employing a controlled burn to reduce cover of dead emergent vegetation to allow meadow vegetation to take hold.

In another adaptive management action, Inyo and LADWP, with the support of the MOU parties and approval of the Standing Committee, began an Interim 5-year Blackrock Waterfowl Area (BWMA) Plan. New water management was implemented in the fall 2021. Under the plan, water is provided to three of the four basins. Instead of the year-round flooding called for in the original management plan, the area will receive water adequate to provide 500 acres of flooding from October to March. The flooded basins will be dried in the growing season to discourage the spread of cattail and Bulrush, which had diminished open water habitat under former management. The runoff conditions in 2023 made it impossible to dry down the basins in the summer as planned. However, avian monitoring continued, and the project will move forward in 2024. Progress on this plan is reported in the LORP Annual Report and at a public meeting every May.

#### ***Owens River Water Trail (ORWT)***

Owens River Water Trail would open up about 6 miles of river channel east of Lone Pine for recreational canoeing, kayaking, and paddle boarding. The County has been awarded two grants to construct the ORWT: \$500,000 from the California Natural Resources Agency in 2016, and \$110,000 from California Division of Boating and Waterways in 2017. These funds will pay for design, engineering, and permitting for improvements at the launch and take-out facilities. LADWP funded the development and production of the draft EIR, which was completed in May 2019. The CEQA document will be certified as soon as the terms for a long-term lease with LADWP are known. The lease will allow the development of water entry and exit points that are located on LADWP owned lands.

#### ***Sustainable Groundwater Management for the Owens Valley (SGMA)***

The Sustainable Groundwater Management Act of 2014 (SGMA) requires that local Groundwater Sustainability Agencies (GSA) manage groundwater basins in California. The Owens Valley Groundwater Basin (Basin) includes Owens, Chalfant, Hammil, and Benton valleys, and originally, Inyo County, Mono County, City of Bishop, and the Tri Valley Groundwater Management District were designated as individual GSA's. In 2018, the four agencies withdrew

as GSA's to allow the Owens Valley Groundwater Authority (OVGA) to become the exclusive GSA for the Basin. Seven additional community service districts also elected to become members of the OVGA. A grant was acquired, and consultant selected to develop the Groundwater Sustainability Plan (GSP) for the Basin in late 2019. The Basin initially was designated as medium priority which requires that groundwater must be managed by a local GSA in accordance with an approved GSP. Work to prepare the GSP by staff and the consultant, Daniel B. Stephens and Associates, began in earnest in early 2019. The Basin boundary adjustment to remove the Starlite area (Starlite wells tap a different aquifer than the rest of the Basin) triggered a re-evaluation of the Basin priority by the Department of Water Resources which released a draft report in April 2019 designating the Basin as low priority. Under SGMA, low priority basins are not required to be managed by a GSA. Following several months of uncertainty, the OVGA decided that regardless of the basin status, the agency should proceed with development of the GSP. The designation of the basin as low priority was finalized in December 2019. Four agencies subsequently decided in 2020 to withdraw from the OVGA. Additional changes to the OVGA composition occurred in 2020 when the Owens Valley Committee (a local environmental group) and the Lone Pine Paiute Shoshone Tribe were added as Interested Parties.

Work on the GSP accelerated in 2020, specifically the components to acquire existing hydrologic data; describe the basin hydrology, water balance, groundwater dependent ecosystems, and hydrologic conceptual model; prepare draft sustainable management criteria; develop an online hydrologic database management system and website; and adopt a mission statement and public engagement plan. Consultant work products for the GSP were presented at regular OVGA meetings and discussed at several evening workshops in 2020 and 2021. Unfortunately, due to coronavirus (COVID-19) pandemic restrictions, the OVGA was prevented from conducting the public process to engage stakeholders in-person as intended. The OVGA Board meetings and stakeholder meetings are public and were migrated to a virtual format successfully. In Benton, Hammil and Chalfant valley, internet access is relatively poor, and the OVGA resorted to a slower and higher cost direct mailer to reach residents in those communities.

The final GSP, including responses to public comment, was adopted by the OVGA on December 9, 2021. The Basin was divided into three management areas, Tri-Valley/Fish Slough, Owens Valley, and Owens Lake, based on the differing hydrologic characteristics of each area. Tri-Valley exhibits chronically declining water levels. Water levels in the Owens Valley and Owens Lake fluctuate but do not exhibit declining trends. Sustainable management criteria and management actions in the GSP reflect the desire to avoid negative results in the Owens Lake and Owens Valley areas. In Tri-Valley, the management actions prescribe a path to address identified data gaps and to seek funds to develop numerical groundwater models necessary to make informed decisions to address the declining water levels. Given the low priority status, implementation of all or parts of the GSP is at the discretion of the OVGA.

In early 2022, Mono County elected to withdraw from the OVGA. Subsequently, The Tri Valley Groundwater Management District was granted exclusive GSA status for the portion of the basin within its jurisdiction, and Mono County was granted GSA status for the remainder of the Basin in Mono County. The OVGA no longer has a member with land or water management responsibility in Mono County, and the agency is responsible for sustainable groundwater management only within the Inyo County portion of the Basin excluding lands owned by Los

Angeles Department of Water and Power. The Owens Lake is owned by California and managed by the State Lands Commission. The Commission has discretion to determine if measures in the GSP would be applied to operations on the lakebed.

Given the low priority status and relatively stable (fluctuating but not consistently declining) water levels in the Basin in Inyo County, the OVGGA elected to implement two management measures to maintain and publish a complete database of pumping and water levels in the Basin. First, Inyo County will share applications for new well drilling permits with the OVGGA hydrologic staff for review and inclusion in the database. Second, The GSP identified a data gap for the amount of pumping by private pumpers and Community Service Districts. In response to this data gap, the OVGGA adopted a well registration ordinance in 2022 that requires non-de minimis well owners (meaning those who pump 2 acre-feet or less per year) to register their wells with the OVGGA. This effort was launched in the summer of 2023, and pumpers are required to register their wells by April 2024. Data collected through this process will be added to the OVGGA database.

Two management actions in the GSP that are no longer OVGGA projects are being pursued by other agencies. Mono County has been awarded a grant through the Integrated Regional Water Management Group to develop a groundwater model for the Tri-Valley/Fish Slough portion of the Basin. Mono County has asked Inyo County Water Department to manage the project and oversee the work of the modeling consultant. This project will begin in 2024 and last approximately 12-18 months. Lastly, the Tri-Valley District is implementing steps to increase groundwater monitoring to address that data gap.

### **III. General Plan Elements**

The General Plan details the County's guiding principles for a variety of planning topics and is the roadmap for future development. California Government Code Section 65300 et seq. provides direction and specifications for the content of the General Plan. The following seven elements are required:

- Land Use
- Circulation
- Conservation
- Open Space
- Noise
- Safety
- Housing

The elements may be combined or renamed, but basic requirements must be included. An agency may adopt any type of optional element, such as an Economic Element, at its discretion. Only the Housing Element must be certified by another agency (i.e., HCD), although the State Geologist and CalFire provide some oversight of other aspects.

The Inyo County General Plan consists of the following Elements:

- Government
- Land Use
- Economic Development
- Housing

- Circulation
- Conservation/Open Space
- Public Safety

Subtopics are included in the elements to meet California's requirements. The following sections address implementation for each of the County's General Plan Elements.

### **Government Element**

The Government Element includes the following goals (i) promoting consistency of other agencies' actions with General Plan (Goal Gov-1), (ii) encouraging collaborative planning and public participation (Goal Gov-2), (iii) increasing private land ownership (Goal Gov-3), (iv) guiding federal land actions and encouraging economic development (Goal Gov-4), (v) protecting and developing water resources (Goal Gov-5), (vi) preserving and expanding agriculture (Goal Gov-6), (vii) enhancing opportunities for recreation, including for off-road vehicles, hiking, and biking (Goal Gov-7), (viii) encouraging improved management of wildlife and fisheries (Goal Gov-8), (ix) promoting exploration, development, and reclamation of mineral resources (Goal Gov-9), (x) balancing energy development (Goal Gov-10), and (xi) enhancing transportation and preserving access (Goal Gov-11).

To achieve these goals, the County has continued dialogue with local, regional, State, and federal agencies on a variety of projects, as discussed elsewhere in this report, thereby continuing the previous coordination efforts with other agencies. The County constantly strives to ensure collaboration between national, California, and regional agencies as required by federal, State, and local regulations. The County works to make such agencies aware of County programs and policies and bring their actions into conformance with the General Plan. During 2023, the County worked state and federal land management agencies on regional planning efforts affecting Inyo County resources.

The County also involves citizens, Native American tribes, and public interest groups in the planning process whenever feasible. Staff works to ensure that the public is made aware of all planning projects through mailings and notices in the newspaper to allow for their participation. Routine feedback and public input is requested, and the County's website is maintained to provide for current up-to-date information regarding planning issues.

### **Land Use Element**

The Land Use Element guides County land use policy and insures that appropriate development takes place, with adequate provision of public services and utilities. Land use designations are specified, defined, and mapped in the Land Use Diagrams. The land use designations roughly correspond to the County's zoning districts. Public services and utilities are also addressed in the Land Use Element. Development in and around existing towns is encouraged, which is where most building permits are issued. Potential impacts from new development are assessed under CEQA. Additional conditions of approval and mitigation may be required if deemed necessary to provide for issues such as screening, habitat conservation, parking, and noise-reduction, or otherwise address issues per the General Plan's direction.

### **Economic Development Element**

The Economic Development Element works to support long-term efforts to improve economic



conditions for all County residents, and addresses tourism, natural resources, and retail sales. Towards these ends, the County has continued to promote access to public lands and limit any new restrictions being planned. Promotions regarding Inyo County in major population centers elsewhere in the State (including at the State fair) are carried out. Filming opportunities are exploited, and several dramatic locations were featured in film, television, and other venues in 2023. There are also several new economic development programs. These are outlined in the Other Plans and Projects section.

### **Housing Element**

The Housing Element works to provide housing for all of the community, and addresses the needs of specified populations. In 2022, the County completed its 6<sup>th</sup> Cycle Updated of the Housing Element, which was certified by HCD in August 2022. This had to be revised as 2 RHNA sites identified in the certified Element required zone changes that were not approved. Staff found replacement parcels and revised the Housing Element, which was then re-approved and re-certified. Preliminary data indicate that in 2023 twenty-seven new units were applied for, and that construction began on a significant number of new units. Nine units also obtained certificates of occupancy. Housing starts were up in 2023 compared to previous years.

The County continues to work with service providers to provide for the needs of lower- income households, the disabled, and other special needs populations, per the direction provided by the Housing Element. The County updated several sections of its zoning code based on the Housing Element update, which incorporates new State zoning requirements regarding housing.

### **Circulation Element**

The Circulation Element addresses a wide variety of topics, including roads, scenic highways, public transportation, bicycles and trails, railroads, aviation, canals, pipelines, and transmission cables. These planning programs prioritize improvement to achieve implementation measures for roadway repaving and reconstruction projects.

As discussed previously, projects are reviewed to minimize impacts, provide for parking, reduce vehicle trips, and optimize transportation access. Continuing improvement in telecommunications infrastructure provides opportunities for telecommuting and economic development, and Digital 395 provides an excellent opportunity for telecommunications enhancements locally. The County continues to work with Caltrans regarding the Olancho-Cartago Four-Lane project and is seeking ways to implement the strategies identified in the corridor study prepared for the area proposed to be abandoned.

Viewshed issues along scenic highways are also addressed, as they may apply. The County continues to encourage the Forest Service and other federal agencies to address local concerns regarding appropriate motorized transport on federal lands and to otherwise maintain and improve access to help promote the County's tourist-based economy.

The County worked with the City of Bishop, Caltrans, and other local stakeholders to implement the Collaborative Bikeways Plan, which was adopted in 2008. This project implements the Circulation Element's bicycle goals, policies, and implementation measures. As discussed above, the Inyo 2016 ATP built upon and incorporated the policies and goals set forth in the 2008

bikeways plan. Continued coordination with LADWP, the Forest Service, and the BLM ensures appropriate trail maintenance and access to public lands.

### **Conservation/Open Space Element**

The Conservation and Open Space Element works to provide for resource management, open space for recreation, and park development. Inyo County's Open Space Element includes sections on soils, agriculture, minerals and energy, water, biology, cultural (i.e., archaeology), visual, and recreation.

The County continues its programs to support agriculture and ranching. Mineral resource development is encouraged, and the County reviews projects to ensure compliance with SMARA and other regulations. As discussed above, the Planning Commission continues its work providing oversight for reclamation plans, and staff inspected about 80 mines in 2023. The County is working with State and federal agencies to encourage appropriate mineral production.

The Environmental Health Department provides oversight and permitting for potable water and wastewater treatment systems in order to manage and improve water quality. Individual projects are reviewed to ensure that they do not adversely impact groundwater quality or quantity. Work on the LORP and other enhancement projects improve surface water quality through biological filtering. Water transfers are reviewed to minimize environmental and economic effects. Potential impacts on biological, cultural, and visual resources are analyzed for projects and programs through environmental review processes. Architectural Design review in Lone Pine is carried out to ensure compatibility. The County continues to work to improve its parks and provide access to federal lands.

### **Public Safety Element**

The Public Safety Element works to reduce hazards regarding air quality, floods, avalanches, wildfires, geology and seismicity, and noise. The County continues to cooperate with DWP to reduce dust from Owens Lake, and evaluates air quality issues for major discretionary projects. Building permits and other development proposals are reviewed for flooding, fire, avalanche, and faulting hazards. The County adopted a Hazard Mitigation Plan in 2017 and it was approved by FEMA. In September 2018 the County's General Plan Public Safety Element was amended to add by reference the Hazard Mitigation Plan. Incorporating the MHMP into the General Plan is beneficial to the County as it adds identification of potential hazards, analysis, and mitigation language to the General Plan; and, it opens up more potential funding opportunities to the County in the event of a disaster. The Hazard Mitigation Plan and Safety Element are currently in the process of being updated and staff from several county departments are working on it. Once it is complete it will be incorporated into the General Plan.

## **IV. General Plan and Zoning Code Updates**

The County comprehensively updated its General Plan on December 11, 2001. One of the follow-up actions was to update the County's Zoning Code per the direction provided in the General Plan. During the past several years staff has been working to update the Zoning Code based primarily on state changes to housing law.

## **V. Conclusion**

The General Plan is the County's constitution and guiding vision. Due to the world's ever-changing nature, upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process.

The County provided leadership and participated in many planning activities in 2023, as identified in this report. It continued its project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures.

## Appendix A

### Government Code Section 65400

(a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

- (1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.
- (2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of forms and definitions adopted by the Department of Housing and Community Development pursuant to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2). Prior to and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments. The report may include the number of units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved consistent with the standards set forth in paragraph (2) of subdivision (c) of Section 65583.1. The report shall document how the units meet the standards set forth in that subdivision.

(C) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.

- (b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that

substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

Attachment – Housing Element Implementation Report

Program Implementation Status pursuant to GC Section 65583

Housing Element Implementation

Name of Program	Objective	Timeframe	Status of Implementation
1.1.1 Housing Rehabilitation Funding	Research available state funds on an annual basis as Notice of Funding Availability (NOFA) is released. The County has set a goal of the rehabilitation of 15-units between 2021-2029 (equals 3-units per year for 5-years).	2021-2029	Researching available funding - A program County funding for rehabilitation and ADU projects is also being finalized.
1.2 Housing Rehabilitation Code Enforcement	The County shall advocate for the rehabilitation of substandard residential properties by homeowners and landlords.	2021-2029	Case by case, work with homeowners as issues come up
1.3.1 Energy Efficiency	The County will focus efforts to promote energy efficiency by supporting programs such as weatherization and utility assistance programs that alleviate energy costs for households. The County shall maintain its webpage dedicated to energy efficiency education and programs.	2021-2029	Researching available funding
1.3.2 Energy Efficiency Webpage	The County shall rebuild its dedicated webpage to housing resources including for energy efficiency and loan programs.	Aug-23	Staff is working on how to make this work in the County's new webpage design.
2.1.1 Adequate Sites	If monitoring indicates that development has occurred on any of the parcels identified in the site inventory, the County shall ensure there is existing adequate capacity or identify additional sites to compensate for the loss.	2021-2029	Monitoring will occur by 2029
2.1.2 Sites Inventory	The County shall maintain an up-to-date inventory of sites suitable for residential development and provide this information to residential developers and to the real estate community. This inventory will include DWP land release sites.	2021-2029	This list is currently available
2.1.3	Removed 2023 Revision	N/A	N/A
2.1.4 Code Update units	The County shall complete an update to the Code to remove the requirement for multi-family housing over 15 units to require a conditional use permit to by right rezoning.	Apr-23	Completed 12/2022

Name of Program	Objective	Timeframe	Status of Implementation
2.1.5 Employee Housing Definition Update	The County shall update its Code definition of employee housing to remove the description of “five or more unrelated persons or families” eliminating the number based restriction in the definition, and making it compliant with current State regulations.	Aug-24	Completed 12/2022
2.1.6 Regional Housing Group	The County shall within the 2021-2029 Housing Element timeframe and beyond create a regional housing working group including but not limited to the City of Bishop, Local Tribes, and Inyo County to review and evaluate housing needs at a regional level and prepare policies and programs to address those needs and to ensure adequate housing throughout the region.	2021-2029	This program is being developed.
2.1.7 Regional Transportation Needs	The regional housing working group along with its review and evaluation of housing needs at the regional level will also look at issues, policies and programs to address gaps in transportation that might be contributing to fair access to jobs and services in relation to housing opportunities.	2021-2029	This program is being developed.
3.1.1 Meet with Federal State and City land managers RE divestment of properties	Annual meetings with DWP, BLM and other federal / state agencies Determination for alternate sites for Sites 1 and Sites 3 if LADWP is unwilling or unable to facilitate housing on sites by end of 2024.	Dec-24	Talks are currently occurring with LADWP



Name of Program	Objective	Timeframe	Status of Implementation
3.1.2 ADUs	The County shall continue to encourage ADU/JADU development.	Aug-24	Building plans for several sizes and over the garage ADUs have been prepared for the County to give to property owners. The building plans are currently with the consultant who prepared them for a final update. A County loan program is also being created for rehabilitation projects and ADU development. It is currently with HCD for funding review.
3.1.3 Tiny Homes	Tiny Homes are currently not defined in the County code. They are allowed by right as the County does not regulate the minimum size of residential units. They are also allowed as ADU/JADUs. To make tiny home development more accessible the County shall update the zoning code to include a definition of Tiny Homes.	Aug-24	Completed 12/2022
3.1.4 Definitions	Based on new and still relevant existing State law, Low Barrier Navigation Centers, and Transitional and Supportive Housing will be added to the County codedefinitions. These along with Emergency Shelters and Single Occupancy Residences (SROs) will have language added and/or updated to accurately match requirements provided for by State law. This includes: Transitional housing, supportive housing and group homes are permitted in the same manner as other residential dwellings of the same type in the same zone. Low Barrier Navigation Centers and Emergency shelters cannot have parking requirements beyond spaces needed for employees and cannot be required if located within one-half-mile of a transit stop.	Dec-23	Completed 12/2022

Name of Program	Objective	Timeframe	Status of Implementation
3.1.4 Definitions/Standards housing types	The County will also add SROs as a permitted use in the Multi-family 3- units and above residential (R3) zone and design development standards with reduced parking requirements by the end of 2023. The County will propose no more than 0.5 parking spaces per SRO unit.	Dec-23	Completed 12/2022
3.1.5 Affordable Housing Opportunities	The County shall provide expanded affordable housing opportunities by partnering with local organizations and providing technical assistance and/or pass-through funds as appropriate for the development of units affordable to extremely low, very low, or low-income households. As part of these partnerships, the County will obtain local data and knowledge from nearby jurisdiction on an annual basis, as outlined in Program 3.1.1. This will include a list of qualified entities, discussions on past successful projects, discussions on suitable development standards, and experiences with affordable housing developers.	2021-2029	This program is being developed.
3.1.6 Employer Assisted Housing	County will continue to explore Employer Assisted Housing Programs by forming a working group with major employers in the area to discuss how the County can assist in the development of employer-assisted housing in Inyo County.	2021-2029	This program is being developed
3.1.7 Housing Specialist	The County will continue working on establishing a housing specialist position for the County. This person will help identify housing opportunities for income levels, be available to take fair housing complaints and help get people to the appropriate organization/agency for help.	2021-2029	This program is being developed, currently Mammoth Lakes Housing fills the roll.
3.2.1 High Density Housing/Brochure	The County shall encourage higher density residential development in areas of population concentration by conducting outreach to developers and property owners to encourage higher density residential development. In addition, the County will explore funding options for appropriate housing as funds become available. A brochure will be completed and sent to property owners.	2021-2029 Brochure 12/2024	In progress

Name of Program	Objective	Timeframe	Status of Implementation
3.2.2 Density Bonus	The County shall encourage development of housing for low-income households through provision of density bonus incentives. The County shall prepare updates to the density bonus chapter (18.65) of the County code as required by the State and inform applicants of new opportunities for density increases.	Aug-24	In progress, should be completed by late spring 2024
3.2.3 Encourage Higher Density Housing	Encourage high density residential development in specific Commercial Zones. The County will continue to explore ideas brought forth during its SB2 Vacant Lands grant work in allowing for outright permitting of multi-family units in the Central Business zone, as well as, explore opportunities for permitted by right mixed use and high density housing in other commercial zones. Areas along the County's small town main streets (highway 395) have vacant commercial parcels and empty buildings. Reevaluating these parcels for 'missing middle' housing opportunities, such as cottage apartments, 4-plexes and etc. could potentially do a lot to help the County meet its own housing goals. This work will also include a review of design requirements such as parking, setbacks, minimum lot size and height standards that could be improved to encourage more high density housing. The County will also seek out resources for the development of missing middle preapproved plans that require low cost renovations and may share indoor spaces and amenities to meet certain development standards.	Aug-25	Changes to CB Zone completed 12/2022
3.2.3 Encourage Higher Density Housing	In addition to the updates outlined in Program 7.1.1 updating development standards such as minimum parcel size, the County will also allow multifamily and mixed use housing as a permitted use in the CB zone. This will allow the County to expand the number of candidate sites for housing, which is particularly useful in the event that the LADWP-owned sites (Sites 1 and 3) are not available for reasons outside of the County's control.	Aug-25	Changes to CB Zone completed 12/2022

Name of Program	Objective	Timeframe	Status of Implementation
3.2.4 Encourage Higher Density in established residential areas	Encourage higher density in established residential neighborhoods by evaluating current residential codes for design standards that might work to better encourage multi-family housing. This will include setback, minimum lot size, height and especially parking standards in the County's multi-family zones.	Aug-25	In progress, waiting on REAP 2 grant funding to start.
3.4.1 Mobile Home Parks	The County shall provide technical assistance to mobile home park residents who want to purchase their mobile home park. To accomplish this, the County will advertise the program to mobile home park residents, including conducting meetings with tenants as requested.	2021-2029	Not yet started
3.4.2 Mobile Home Overlay	The County will remove its Mobile Home overlay as it is not used and is non-compliant. Language clarifying that mobile/manufactured homes on a foundation are to be processed the same as the process applicable to a conventional single dwelling unit in the same zone.	Aug-24	Completed 12/2022
3.5.1 Financial Assistance	The County will support the efforts of local housing service providers to assist low-income households with utility bills by providing assistance to a minimum of 150-households annually through the LIHEAP (Low-income Energy Assistance Program).	2021-2029	Ongoing program
3.5.2 Section 8 Housing	The County shall encourage rental subsidies for lower-income families and elderly persons. The County shall encourage listing of rental units with local housing service providers.	2021-2029	Ongoing program

Name of Program	Objective	Timeframe	Status of Implementation
3.5.3 Continued Affordability	<p>The County shall provide for the continued affordability of the County's low and moderate-income housing stock. Although not anticipated, if any deed-restricted affordable units currently serving County residents are at risk of converting to market rates, the County will facilitate a preservation program with the owner and/or operator of the project at risk. The goal will be to identify additional funds to either continue the affordability of the at-risk project or to replace those units once they are no longer affordable to lower-income households.</p>	2021-2029	Ongoing program
4.1.1 Self Help	<p>The County will continue to make efforts to coordinate with established self-help housing groups to solicit interest in developing projects in the county to facilitate self-help housing as a form of homeownership for lower-income households.</p>	2021-2029	Ongoing program
4.2.1 Federal Grants	<p>The County will consider, as appropriate, applying for state and federal grant funds to provide homeownership opportunities that may include interest rate write-downs, down payment assistance, and mortgage revenue bond financing through state and federal programs.</p>	2021-2029 with goal of completing at least one project	Researching available funding
5.1.1 Compliance with new State Regulations	<p>The County shall update its zoning code to properly address new State laws regarding Density Bonus, Low Barrier Navigation Centers, Emergency Shelters and Transitional and Supportive Housing, pursuant to AB 2162.</p>	Aug-23	Completed 12/2022
5.2.1 Expedite Permits	<p>The County routinely works with homeowners to expedite their permits and provide flexibility in submittal requirements for owners developing their own homes. The County will also annually review its permit and development plan processing timelines and look for ways to expedite or simultaneously conduct development reviews to ensure timely processing.</p>	2021-2029	Ongoing program

Name of Program	Objective	Timeframe	Status of Implementation
5.2.2 Expedite Affordable Projects	The County shall evaluate and consider alternative processes to help expedite and encourage affordable housing projects, such as administrative approvals of use permits projects and modifications to the design standards in the zoning code regarding setbacks, lot sizes, parking and height standards.	Aug-25	Programmed for 2024-2025
5.3.1 Infrastructure in remote areas	For sites in remote areas, the County shall explore ways to help to facilitate the provision of infrastructure to accommodate residential development by researching opportunities for providing the necessary infrastructure in remote locations for residential development. Strategies to increase densities in these locations will also include development standards where it is feasible with regard to infrastructure, especially with regard to water and sewer.	2021-2029	Not yet started

Name of Program	Objective	Timeframe	Status of Implementation
5.3.2 County Property	<p>The County currently owns 66-parcels of land in the County. Of the 66-parcels, 32 are located in the Owens Valley. The rest are in the more remote areas of the County with limited to no infrastructure or services. All but 3 of the Owens Valley parcels are currently built on for various County offices, roads yards, libraries, parks -etc. The 3 vacant parcels are located in Bishop and Big Pine. The Bishop parcel was being reviwed for a zone change and was included in the RHNA site inventory -Site 2 along with Site 3 a DWP owned parcel. Neither of these proposed zone changes were adopted and new RHNA sites were selected and sent to HCD for approval. One of the two county parcels in Big Pine is environmentally constrained with special status species and a wetland. The other parcel will, however, be further evaluated for housing development viability. The County also has several road yards and an airport on some of its properties in the Owens Valley. Two of the road yard parcels had zone changes and General Plan reclassifications to multi-family residential to encourage high density housing development in 2023. These parcels are located in Lone Pine. Site 2 is still being reviewed for a possible zone change.</p>	Aug-25	Site 2 was utimately not rezoned, but will be reviewed for it again in 2024.
6.1.1 Support Housing Services	<p>The County shall take positive action to assure unrestricted access to housing. The County will continue to support local housing service providers to provide fair housing services and assist in program outreach.</p>	2021-2029	Ongoing program
6.2.1 Reasonable Accomodation	<p>The County will continue efforts to mitigate or remove constraints on housing for persons with disabilities and will update its code to accurately follow new State regulations.</p>	Aug-24	Completed 12/2022 - Reasonable Accomodation

Name of Program	Objective	Timeframe	Status of Implementation
7.1.1 AFFH	<p>ADU Promotional Brochure within one year of certification. Remove minimum lot width, minimum lot size, minimum parcel size and maximum densities for all residential zones, except Rural Residential due to infrastructure concerns, and revise front yard / rear yard setbacks to facilitate higher density development as well as develop ordinance for SB9 compliance by the end of 2023.</p>	Dec-23	In progress, SB 9 should be completed by the end of 2024.
7.2.1 Senior Housing	<p>The County will continue working with the housing stakeholder group established during the housing element update to further define housing issues in the county and specifically senior housing. This work will include identifying and applying for grants to provide affordable housing located near services. A focus will be placed on Census Tracts 5 and 8 as these include the areas in the County with the highest percentages of households with a householder 65-years and older. The housing stakeholder group will target new members from these Census Tracts and meet every six months. The group will discuss strategies to support multigenerational households and designing development standards that support aging in place. Intensifying existing single unit homes with ADUs, JADUs, can be an important way to fund housing costs, including mortgages and rehabilitation projects for senior households. The group will evaluate shared housing strategies and look to design / adopt template agreements that can help facilitate cost-sharing arrangements for a variety of households by the end of 2023.</p>	Dec-23	Not yet started



Name of Program	Objective	Timeframe	Status of Implementation
7.3	<p>The County currently has policies that address environmental justice issues. Pursuant to CA Government Code 65302(h), the County will add policies in appropriate sections of its General Plan that relate to healthy food access, safe and sanitary homes and physical activity. In addition, the County will create an Environmental Justice Element within four years of adoption that includes all objectives listed. The Environmental Justice element will discuss the carshare program described in Program 2.1.7 and collaborate through an annual meeting with regional employers and neighboring jurisdictions to provide alternatives to vehicle ownership.</p>	Aug-26	In progress, should be completed by early 2025.
7.3	<p>In addition to the carshare pilot program, the County will evaluate Accessory Commercial Units (ACUs) and the prospect of allowing light commercial uses in residential zones in addition to existing residential. The County will make a decision on which zones to permit ACUs within three years of certification and will allow ACUs as a conditional use within at least one residential zone. This will help to reduce Vehicle Miles Traveled and also provide for more flexibility in terms of land uses, increasing opportunities for small businesses and mitigating issues with food access by making groceries and restaurants more readily available. If pursued, these ACUs will be permitted in addition to all allowed residential development.</p>	Aug-26	In Progress

Attachment – General Plan 101

# WHAT IS A GENERAL PLAN?



Inyo County Planning Department



**A vision without a strategy  
remains an illusion.**

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LEE BOWLMAN



# SUMMARY OF TOPICS

## MAIN POINTS COVERED

- General Plan – Defined
- General Plan Visioning
- Elements of a General Plan
  - Consistency
  - Use of the General Plan
- General Plan Implementation
  - Specific Plan – Defined
  - Contents of a Specific Plan
- Specific Plan’s Relationship to General Plan

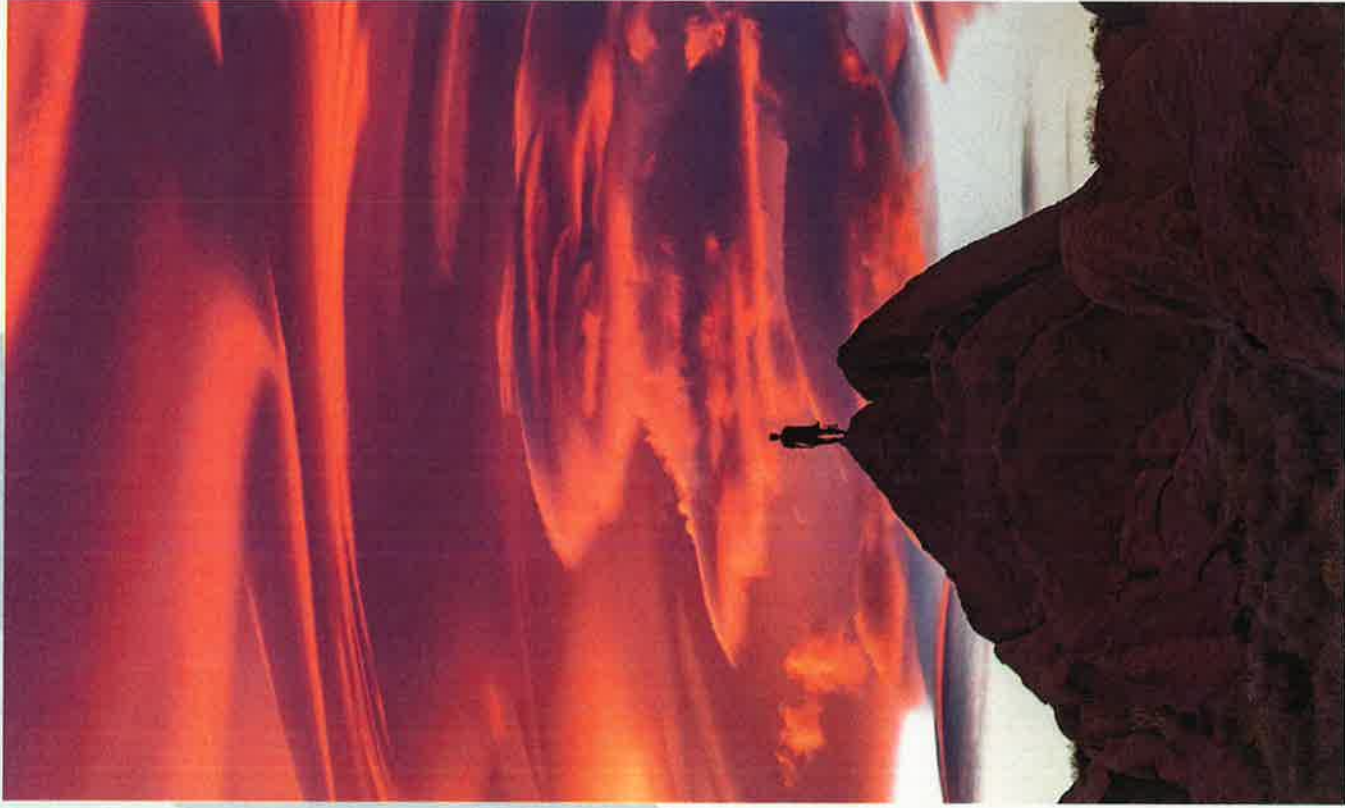


# THE GENERAL PLAN

## WHAT IS IT?

A general plan is the principal long-range policy and planning document guiding the physical development, conservation, and enhancement of California cities and counties. California law requires each local government to adopt a general plan to represent the jurisdiction's view of its future. It contains a vision for the community within a specified time, as well as, defines the goals, policies and implementation programs that achieve the community's vision.





## WHAT GOES INTO THE GENERAL PLAN?

The general plan is both geographically and topically comprehensive. The general plan covers the territory within the boundaries of the County. The general plan addresses a wide variety of issues that characterize the County, and state law requires all general plans to include a vision statement and seven mandatory elements.

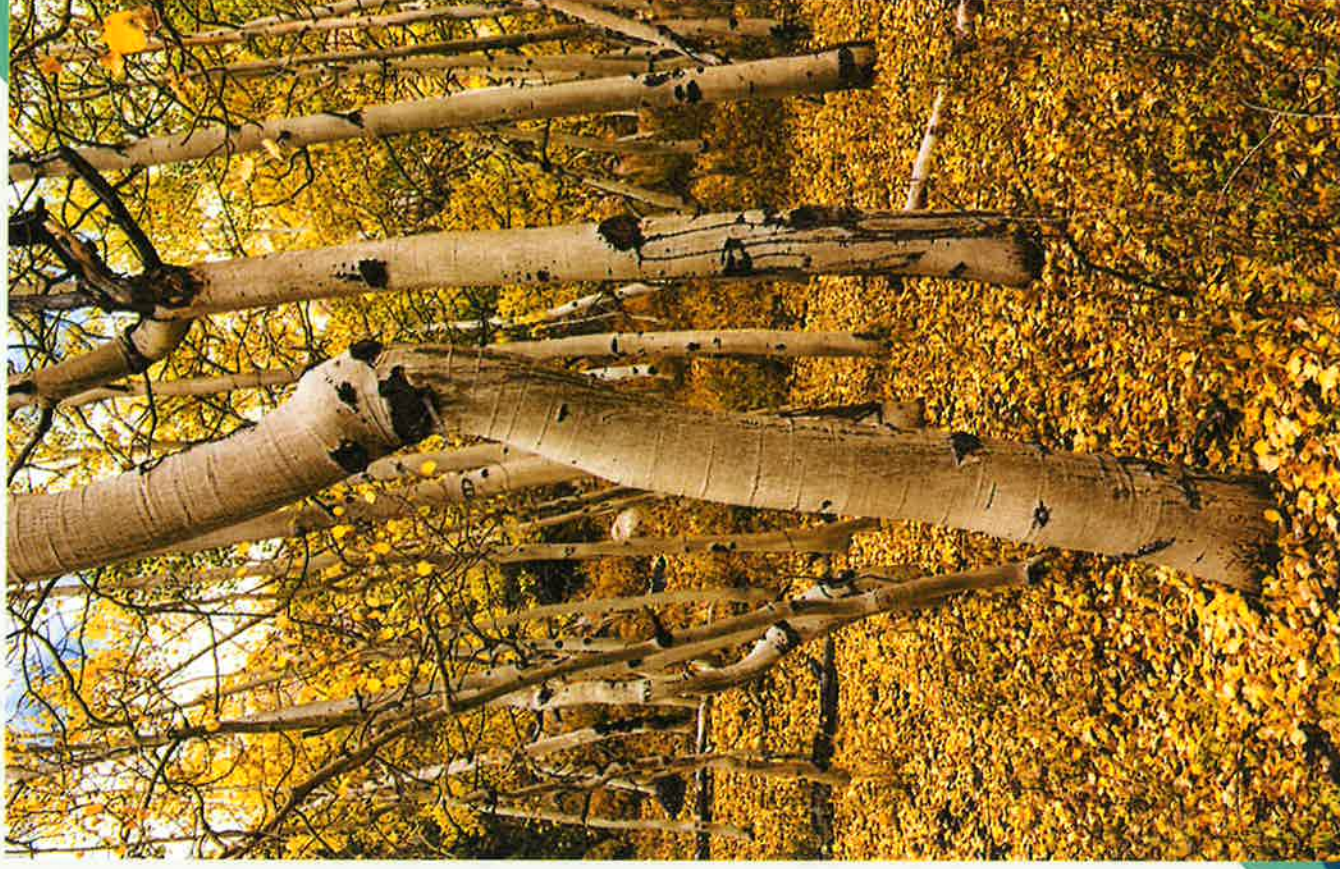




## THE GENERAL PLAN VISION

The Vision, or a statement of desired future conditions, values and characteristics to be achieved or reinforced by the plan, lays the foundation for the policies and programs developed for each of the general plan elements. The visioning process should provide an opportunity for the public to participate in the preparation of the general plan.

Visioning can reveal values and identify needs of the community as well as distinguish the planning issues that are important to its residents and are used to shape the policies and programs of the general plan elements.





# ELEMENTS OF A GENERAL PLAN

CURRENT STATE LAW REQUIRES SEVEN MANDATORY ELEMENTS. THESE ARE:



## LAND USE

The land use element describes objectives, policies, and programs for areas within a jurisdiction's boundaries in both narrative and graphic terms and establishes development criteria and standards, including building intensity and population density. Land use categories are used to depict the general distribution, location, and extent of public and private uses of land.

## CIRCULATION

Includes the identification, location, and design of existing and proposed major thoroughfares, transportation routes, pedestrian connections, bicycle facilities, public transit options, trails, and local public utilities and facilities. It serves as an infrastructure plan and must be correlated with the land use element.



## HOUSING

Analyzes housing needs for all income groups and demonstrates how to meet those needs. State law requires that this element be revised, at a minimum, every eight or five years (Inyo County is eight).



## CONSERVATION

Addresses the identification, conservation, development, and use of resources including energy and natural gas, water and natural landforms.



## OPEN SPACE

Intends to provide a plan for the long-term preservation of open space. It must specify plans and measures for preserving open space for natural resources, for managing the production of resources, for outdoor recreation, and for public health and safety.





## NOISE

Identifies and analyzes projected noise conditions in the community and must include measures to abate or mitigate potential noise levels.



## SAFETY

Identifies seismic, geologic, flood, and wildfire hazards, evacuation routes, and establishes policies to protect the community from them.



## OPTIONAL ELEMENTS

In addition to the elements required by state law, a city or county may adopt other elements that relate to its growth over time. Optional elements have the same force and effect as the statutory elements. Inyo County has the extra Elements of Government and Economic Development.

# CONSISTENCY

ONE OF THE KEY LEGAL REQUIREMENTS CONCERNING GENERAL PLANS DEALS WITH CONSISTENCY. “CONSISTENCY” IS ONE OF THE FACTORS USED IN DETERMINING THE LEGAL ADEQUACY OF A GENERAL PLAN. AS STATED IN THE GENERAL PLAN GUIDELINES PREPARED BY THE CALIFORNIA OFFICE OF PLANNING AND RESEARCH: “IN GENERAL

TERMS, AN ACTION, PROGRAM OR PROJECT IS CONSISTENT WITH THE GENERAL PLAN IF, CONSIDERING ALL ITS

ASPECTS, IT WILL FURTHER THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN AND NOT OBSTRUCT THEIR ATTAINMENT.





## INTERNAL CONSISTENCY

State law requires that no textual or diagrammatic policies conflict between the components of a General Plan. That is, a General Plan must be internally consistent.

Internal consistency has five dimensions:



1.

All elements of the General Plan, including adopted optional elements, have equal legal status. No element legally takes priority over another.

2.

All elements must be consistent with one another. For instance, if land use element policies are likely to result in an increase in population and traffic, the circulation element must provide feasible mitigation to address those impacts.



3.


Each element's data, goals, objectives, policies, and implementation programs must be consistent with one another. For instance, if one section of the housing element indicates that current housing supplies will meet future demand and another section describes a shortage of affordable housing, the element is not internally consistent.

4.

All goals, objectives, policies, and implementation programs identified in a special policy area must be consistent with the overall General Plan.

5.

The text and diagrams within the General Plan must be consistent. In other words, the diagrams of land use distributions, circulation systems, open space and natural resource areas must reflect the written policies and programs of the General Plan elements.







## **CONSISTENCY WITH OTHER COUNTY DOCUMENTS AND PROJECTS**

The County utilizes several other planning tools such as a zoning ordinance, subdivision ordinance, and specific plans, which must be consistent with the provisions of the General Plan. If they are determined to be inconsistent, they cannot be approved. The General Plan should also be reviewed by other departments to determine whether or not efforts such as public works projects or public land acquisition or sale are consistent with the goals and policies identified in the General Plan.

# WHO USES THE GENERAL PLAN?



A LOOK AT THE PEOPLE, GROUPS, AND INSTITUTIONS





The Board of Supervisors and Planning Commission use the goals and policies of the general plan as a basis upon which to make both long-term and short-term decisions, determine long-term objectives, generate and evaluate budgets, plan capital improvements, and prioritize tasks.



County staff and all departments will also reference the general plan when considering development applications, capital improvements, service programming, and departmental budgeting.



Individual residents, existing and prospective business owners, and the development community can also seek guidance for preserving and enhancing the community through the general plan.



Other local and regional agencies will refer to the general plan when projecting future needs and services. The general plan is truly the County's collective guide to the future.

# HOW IS THE GENERAL PLAN IMPLEMENTED?

GENERAL PLAN IMPLEMENTATION CONSISTS OF SHORTER-TERM ACTIONS AND PROGRAMS TO CARRY OUT LONGER-TERM GENERAL PLAN GOALS AND POLICIES. THIS INCLUDES ONE-TIME INITIATIVES BY THE COUNTY (E.G., ZONING CODE

UPDATE TO REFLECT CHANGES IN A NEW GENERAL PLAN), DECISIONS ON PUBLIC AND PRIVATE DEVELOPMENT PROJECTS, MUNICIPAL OPERATIONAL PROGRAMS, CAPITAL IMPROVEMENTS AND PARTNERSHIPS WITH OTHER JURISDICTIONS OR AGENCIES.



# WHAT IS A ZONING ORDINANCE?

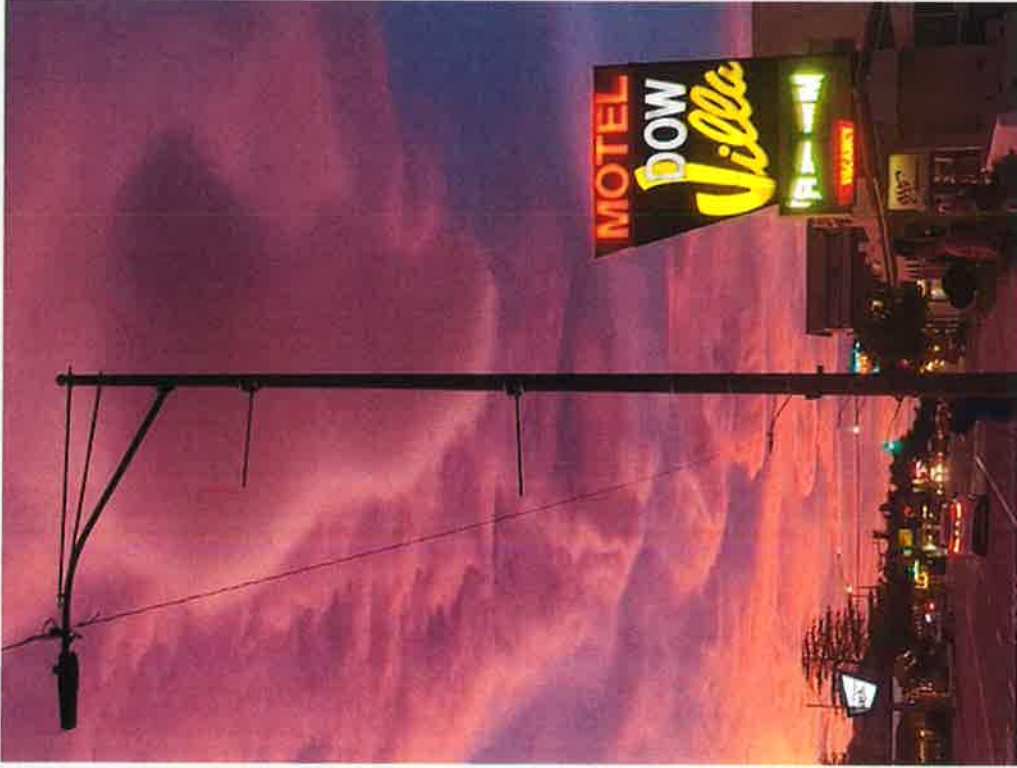
A ZONING ORDINANCE, USUALLY PART OF A COUNTY'S CODE, IS A SET OF REGULATIONS THAT PRESCRIBES OR RESTRICTS WHAT LANDOWNERS CAN DO WITH THEIR PROPERTY. ZONING IS ADOPTED BY ORDINANCE AND CARRIES THE WEIGHT OF LOCAL LAW (GOVT. CODE §65850.) GENERAL LAW COUNTIES, HAVE THE CONSTITUTIONAL AUTHORITY TO ADOPT AND ENFORCE LAWS AND REGULATIONS TO PROMOTE AND SUPPORT THE PUBLIC HEALTH, SAFETY, MORALS AND GENERAL WELFARE (THIS IS KNOWN AS A JURISDICTION'S "POLICE POWER"). ZONING PROVIDES DIRECTION REGARDING BOTH LAND USE AND DEVELOPMENT STANDARDS:

## USE

A major component of a zoning ordinance is that it restricts the type of development that may be built. Examples of uses include single-family residential, multifamily residential, commercial, open space, mixed use, industrial etc. Uses are typically either “permitted” in a zone district, which in most cases allows for administrative approval (Planning Director or designee has approval authority; no hearing required), “conditionally permitted,” (requires a hearing at Planning Commission), or “not permitted,” which prohibits a use in a zone district.







## DEVELOPMENT STANDARDS

Zoning ordinances identify building setbacks within which any building must fit. These are commonly referred to as Design Standards. The design standards (which may vary from use to use) specifies setbacks, height limits, and sometimes limits on the percentage of a site that may be covered by buildings, other structures, and paving (otherwise known as “Floor Area

Ratio” or “FAR”.) Development standards also regulate how a building will perform in the context of its neighborhood, and are designed to ensure the compatibility of new development with adjacent uses.







## RELATIONSHIP TO THE GENERAL PLAN



The distribution of residential, commercial, industrial, and other zones in the zoning ordinance is based on the pattern of land uses established by the community's general plan (because the

zoning ordinance implements the goals and policies of the general plan, the two plans must be consistent). For example: if a general plan designates the land adjacent to a Highway as Retail

Commercial, the zoning ordinance must support this vision by zoning the land for retail commercial uses, not residential, or open space, or any other use that is inconsistent with

commercial uses. One general plan designation may be supported by multiple zone classifications, and even though each zone classification specifies different use and development standard parameters, they all meet the intent of the goals and policies developed for the corresponding land use in the general plan.